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Scottish Leids Bill

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A briefin on the Scottish Leids Bill. This briefin gangs intae the policy launscape fur the uphauin o Gaelic and Scots the noo, syne the provisions o the Bill.



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Executive Overview

This briefin supports the scrutiny o the Scottish Leids Bill.

The Bill ettles at biggin on policy and legislation that exists the noo. This paper gies a brief overview o the policy and legislative framewark as it is the noo, forby o a hantle o the heidmaist pairts o the Bill.

Policy framewark the noo

Fae devolution, mair policy focus and mair resources hae been directit taewart uphaudin Gaelic nor Scots.

Gaelic

Policy that fordere Gaelic is uphaudit by the [Gaelic Leid \(Scotland\) Act 2005](#). This providit fur a when provisions wi the ettle o “makkin siccar the staunin o the Gaelic leid as an official leid o Scotland commandin equal respect tae the English leid”. The 2005 Act foondit Bòrd na Gàidhlig.

The Bòrd has a when functions, these include—

- pittin thegither and furthsettin the National Gaelic Plan
- requirin certain public bodies tae pit thegither Gaelic Plans and approvin and takkin tent o they plans
- gien support and advice
- pittin oot statutory guidance on Gaelic education.

Gaelic education is a muckle pairt o policy tae uphaud the leid. Gaelic education includes:

- Gaelic Medium Education (GME) whaur teachin across the curriculum is maistly in the medium o the Gaelic leid
- Gaelic Learner Education (GLE) whaur the leid is leart as a modren leid in an English medium schuil.

There has newlins been mair policy ongauns in relation tae the Gaelic leid. In 2018, the Government foondit an initiative cried “Haudin Forrit Faster” (Faster Rate of Progress). The Haudin Forrit Faster initiative ettles at bringin thegither a hantle o bodies fur tae collaborate tae uphaud the Gaelic leid.

In 2022, the then Cabinet Secretar fur Finance and the Economy, Kate Forbes MSP, foondit a [Short Life Warkin Group on Economic and Social Opportunities fur Gaelic](#) (the SLWG). The focus o thon group’s wark wis tae ettle at “makkin Gaelic mair strang by means o a focus on economic opportunities forby strengthenin the economy by makkin the maist o Gaelic opportunities”.

Scots

In 2015, the Scottish Government furthset its [Scots leid policy](#). Thon includes three ettles fur the policy—

- tae forder the staunin o Scots in Scottish public and community life
- tae forder the learnin, yaise and development o Scots in education, media, furthsettin

and the airts

- tae upsteer mair yaise o Scots as a valid and visible means o communication in aw aspecks o Scottish life.

There is nae Government agency wi a specific focus on uphauidin the Scots leid. There is, hooivver, a wheen organisations supportit by the Scottish Government that forder and uphauid Scots.

In 2010, a [Ministerial Warkin Group on the Scots leid](#) reportit and makkit recommendations across a hantle o areas—

- policy and straitegy
- education
- braidcastin
- literature and the airts
- international contacts
- public kennin
- dialects.

European Chairter fur Regional or Minority Leids

[The European Chairter fur Regional or Minority Leids](#) is a Coouncil o Europe treaty. It wis pit thegither in 1992 wi the ettle o bieldin and forderin regional or minority leids in Europe and gien speakers o they leids the chance tae yaise thaim in private and public life. The UK becam a signatory in 2000 and ratifiet the Chairter in 2001.

Baith Gaelic and Scots are coverit by the Chairter.

Policy ootcomes

While the policy initiatives gang intae a hale hantle o policy areas and domains whaur leids nicht be yaised, it isnae ayewis clear fae the strategic documents whit successfou policy ootcomes will look like or whit wey they will be meisurt.

Data

There is a wheen data on this policy area. There is mair data in relation tae Gaelic nor Scots.

The maist recent census data on leid yaise is fae the 2011 Census. The National Records o Scotland expects the data on leids fae the 2022 census tae be furthset later in 2024. In

the 2011 census, mair nor 1.5 million fowk seyed they could speak Scots and jist mair nor 57,000 fowk seyed they could speak Gaelic.

In 2012 and 2021 questions were includit in the annual Scottish Social Attitudes survey on Gaelic. Gin we compare the twa surveys, there has been progress in the nummer o adults in Scotland wi some kennin o the Gaelic leid and positive attitudes taewart the leid.

In the past ten year, there has been an increase in the nummer o schuil bairns takkin pairt in baith GME and GLE. There has been an increase forby in the nummer o teachers whae are teachin through Gaelic, or whae potentially could teach through Gaelic, the noo.

Taen thegither, direct Scottish Government fundin fur day tae day spendin on Scots and Gaelic has been maistly siccar and stable in cash terms ower the past ten year. This represents a real terms faw. Forby resource fundin, there is a Capital budget unner Gaelic fur tae support local authorities in providin Gaelic Medium Education. This has been heezed in recent years and stauns the noo at £4m per year.

Scottish Leids Bill

The Government unneraen [a consultation on Gaelic, Scots and a Scottish Leids Bill in 2022](#). The current Bill wis pit thegither follaein thon consultation.

The Bill is in twa mensefou pairts coverin provisions relatin tae Gaelic and Scots. Within they twa pairts are Chaipthers coverin uphaudin o the leids and education.

Pairt 1 – Chaipther 1 o the Bill is on the uphaudin o the Gaelic leid and the provisions in the chaipther include:

- Gaelic haein official staunin in Scotland
- chynghes tae the functions o Bòrd na Gàidhlig
- makkin a pooer tae designate geographical areas as “areas o muckle linguistic mense”
- pittin a duty on the Scottish Government tae pit thegither a National Gaelic Straitegy that taks the place o the National Gaelic Plans
- gien Scottish Ministers (the Government) mair pooers tae pit duties on public bodies tae forder, facilitate and uphaud Gaelic.

Pairt 1 – Chaipther 2 o the Bill is on Gaelic education and the provisions in the chaipther include:

- requirin Scottish Ministers tae forder Gaelic education
- gien Scottish Ministers the pooer tae set staunartsand pit oot guidance fur local authorities in relation tae Gaelic education
- chynghin the statutory definition o schuil education
- requirin local authorities tae forder Gaelic education
- makkin sindry ither chynghes linkit tae GME includin a process fur parents tae request Gaelic Medium Early Learnin and Bairncare.

Pairt 2 – Chaipther 1 is on the uphaudin o the Scots leid. The provisions in the chaipther include:

- Scots haein official staunin in Scotland
- requirin Scottish Ministers tae pit thegither a Scots leid straitegy and report on ony progress makkit
- providin that Scottish Ministers can pit oot guidance fur public bodies in relation tae forderin and uphaudin the Scots leid and the development o Scots culture

Pairt 2 – Chaipther 2 is on schuil education in relation tae Scots. This includes provisions that wad—

- require Scottish Ministers tae forder and uphaud Scots leid education in schuils

- alloo Scottish Ministers tae pit oot guidance and set staunartsfur local authorities relatin tae Scots leid education in schuils.

Financial Memorandum

The Financial Memorandum sets out the eikit-on costs jaloused tae arise fae the Bill. Aw in aw, the cost o the Bill is jaloused tae be around £700,000 ower five year.

Innin

The Scottish Leids Bill wis introducit tae Pairlament on 29 November 2023.

The Bill gies the Gaelic and Scots leids official staunin in Scotland and maks chynge tae the uphaudin o the Gaelic and Scots leids in Scotland. This includes chynge in relation tae education.

The lead Committee at Stage 1 o the Bill will be the Education, Children and Young People Committee (Education, Bairns and Young Fowk Committee).

The Policy Memorandum states—

“ The provisions o this Bill are biggin on current policy priorities that are in place the noo wi the ettle o makkin the new hantle o meisurs mair effective fur the progress that is needit fur Gaelic and Scots.”

PM Para 5

This briefin is in twa pairts. The first pairt ootlines the policy framewark uphaudin Gaelic and Scots the noo. The saicont gang intae the provisions in the current Bill.

Policy Launscape the Noo

The Bill ettles at biggin on the ongaun wark tae support Gaelic and Scots.

This section isnae intendit tae gie a fou overview o this policy area. Raither it is intendit tae gie Memmers an unnerstaunin o the policy and legislative framewarks that uphaud Gaelic and Scots the noo.

Gaelic

Gaelic Leid (Scotland) Act 2005

The [Gaelic Leid \(Scotland\) Act 2005](#) makkit a when provisions wi the ettle o “makkin siccar the staunin o the Gaelic leid as an official leid o Scotland commandin equal respect tae the English leid”.

The 2005 Act foondit Bòrd na Gàidhlig. The Bòrd is the principal public body in Scotland responsible fur forderin Gaelic development and gien advice tae the Scottish Ministers on Gaelic issues.

Section 1 o the 2005 Act statit—

The functions conferrit on the Bòrd by this Act are tae be exercisit wi a view tae makkin siccar the staunin o the Gaelic leid as an official leid o Scotland commandin equal respect tae the English leid through—

- (a) heezin the nummer o persons that can yaise and unnerstaun the Gaelic leid,
- (b) forderin the yaise and unnerstaunin o the Gaelic leid, and
- (c) facilitatin access, in Scotland and elsewhaur, tae the Gaelic leid and Gaelic culture.

The 2005 Act providit that the Bòrd “pit thegither and submit tae the Scottish Ministers a national Gaelic leid plan that maun include proposals as tae the exercise o its functions unner this Act”.

The 2005 Act providit forby fur the Bòrd tae hae the poer tae require public bodies tae pit thegither, furthset and implement Gaelic leid plans. The Bòrd’s [wabsite lists 57 public bodies](#) that hae approvit Gaelic Plans.

The 2005 Act providit that the Bòrd micht tak tent o the implementation o public bodies’ Gaelic plans. Unner the 2005 Act, there are twa ways that the Bòrd can escalate issues wi public bodies’ Gaelic plans. In the process o approvin plans, the Bòrd can propone amendments tae the public body and, gin agreement isnae raxt, the Bòrd micht refer the maitter tae Ministers, whae can decide whether the suggestit chynges should form pairt o the public body’s plan. Gin the Bòrd considers that a public body is failin tae implement meisurs in its plan weel eneuch, the Bòrd micht submit tae the Scottish Ministers a report settin oot its reasons fur thon conclusion. Ministers micht syne direct the authority in question tae implement ony or aw o the meisurs in its Gaelic leid plan.

The 2005 Act provides forby that the Bòrd pit oot [statutory guidance](#) on Gaelic education.

National Gaelic Leid Plans

National Gaelic leid plans

The 2005 Act provides that the Bòrd “pit thegither and submit tae the Scottish Ministers a national Gaelic leid plan that maun include proposals as tae the exercise o its functions”. The plan maun include a straitegy fur forderin, and facilitatin the forderin o—

- the yaise and unnerstaunin o the Gaelic leid, forby
- Gaelic education and Gaelic culture.

The current and [fourth National Gaelic Plan](#) taks in the period 2023-2028. Its vision is fur a kenable “increase in the nummers o fowk, speakin, learnin, yaisin and uphaudin Gaelic.” The heidmaist ettle o the plan reflects thon vision. The plan hielichts a wheen domains that hae short lists o “priority areas” and “tairgets”. The domains are—

- community
- hames
- creative industries
- business and the economy
- public authorities
- education 0-18
- efter-schuil and adult learnin.

The Cabinet Secretar fur Education and Skills’ foreword tae the current plan seyed —

“ The forderin o Gaelic is a responsibility we aw share. A mensefou nummer o local authorities and public bodies can and dae mak an important contribution tae the uphaudin o Gaelic.”

The ettle is that public authorities’ Gaelic plans will reflect the national plan.

Gaelic education

Gaelic education has twa pairs tae it. Gaelic Medium Education (GME) and Gaelic Learners Education (GLE). GME is whaur the education is through the medium o Gaelic. GLE is whaur the leid is leart as ony ither modren leid.

The Bòrd’s Statutory Guidance on Gaelic Education sets oot that in Gaelic medium primary education—

“ Anely Gaelic should be yaised fur learnin, teachin and assessment fae P1 tae P3. Fae P4, English should be introducit a wee bit at a time, wi Gaelic bidin the heidmaist leid o the classroom.”

In Gaelic Medium Secondary Education, the guidance states “schuils should ettle at deliverin a muckle proportion o the secondary curriculum through the medium o Gaelic fur tae enable young fowk tae haud forrit wi developin their fluency in Gaelic.”

The [Scottish Government’s consultation staitit](#)—

“ The noo, Gaelic medium primary education (GMPE) is available in 14 oot o 32 education authority areas across Scotland. Addit tae this, there is a growin nummer o Gaelic medium schuils in Scotland and dual stream (Gaelic and English) primary schuils whaur GME is in the majority. A when Gaelic medium early years centres and cròileagain (pleygroups) are also operatin across Scotland. Forby, Gaelic medium secondary education (GMSE) is available in 33 secondary schuils in Scotland. In they schuils, Gaelic tends tae be offert as a subject, wi a when schuils deliverin a further hantle o the curriculum through the medium o Gaelic.”

The Education (Scotland) Act 2016 provides that parents and carers whase bairn is unner schuil age and whae hasnae yet stertit tae attend a primary schuil hae the richt tae request an assessment o the need fur GMPE fae their local authority. Forby, the 2016 Act sets oot a statutory process fur local authorities tae cairry oot an initial assessment o the need fur GMPE in a particular area afore, potentially, a fou assessment.

Haudin Forrit Faster (Faster Rate of Progress)

In 2018, the Government foondit an initiative cried Haudin Forrit Faster. [The Scottish Government’s Gaelic Plan](#) (no tae be conflummixt wi the National Plan, pit thegither by the Bòrd) states—

“ The Haudin Forrit Faster initiative is a cornerstane tae the Scottish Government’s Gaelic policy and pous thegither around 25 Public Bodies that are contributin tae the ongaun growth and uphaudin o the Gaelic leid.”

The National Plan descrives Haudin Forrit Faster as “an aw-chyngin initiative led by Scottish Ministers” that has “wi success brocht thegither national organisations and key authorities that hae Gaelic leid plans fur tae progress warkstreams and deliver key Gaelic commitments through collaboration.” These warkstreams include—

- community trystin
- digital and media
- teachin and learnin
- tourism
- culture and bygane
- economy and warkforce.

There is nae wabsite or page on the Government’s wabsite that gies details o thon work. It

is therefore fykie tae assess activities that are takkin place unner thon initiative, the resources directit at thon work, or its ootcomes.

Short Life Warkin Group on Economic and Social Opportunities fur Gaelic

In 2022, the then Cabinet Secretary for Finance and the Economy, Kate Forbes MSP, established a [Short Life Working Group on Economic and Social Opportunities for Gaelic](#) (the SLWG). The focus of this group’s work was to seek to “strengthen Gaelic by means of a focus on economic opportunities and to strengthen the economy by making the most of Gaelic opportunities”.

The SLWG notit—

“ Economic and cultural activity maunna be taen tent o apairt. Cultural ongauns contribute muckle tae Scotland's economy forby offerin social thegitherness in communities along wi opportunities tae yaise Gaelic. The leid is o muckle interest tae visitors comin tae Scotland, whae also contribute tae the economy. In leid plannin terms, the desire tae yaise Gaelic is influenced by the leid's staunin. Economic opportunities and social activities can often forder fowk tae acquire, or mak mair yaise o, Gaelic skills.”

The SLWG taen tent o the hantle o policy interventions but statit “the group is in nae doot that Gaelic aye bides in a shooglie position and there maun be a demonstration o urgency across the range o bodies that can bring aboot positive chynge fur tae ensure the leid's future.” It seyed forby that the Scottish Government should heeze its direct fundin fur Gaelic development “fur tae forder economic growth and realise in fou the social and personal-weal potential o Gaelic.”

The SLWG makkit recommendations unner a muckle hantle o heidins, these were:

- population and infrastructure
- public sector and Gaelic plans
- communities
- education
- key sectors (includin social care, creative industries, culture, bygane, tourism, sport, food & drink and the natural environment).

The SLWG had a particular, but no exclusive, focus on “Key Gaelic Communities”, which it defined as “aw thaim in Na h-Eileanan Siar, Skye & a wheen districts o Lochalsh, Tìree, Ilay and Jura – places whaur, in the 2011 census, 20% or mair o the fowk had Gaelic abilities”. The SLWG seyed—

“ Mony o the trauchles that face leid yaise in Key Gaelic Communities are relatit tae population attraction and haudin. Wioot infrastructure sic as adequate hoosin and siccar transport links, forby digital connectivity, we cannae growe or haud populations. The viability o they communities is unner threat and, wi thon, Gaelic as a community leid.”

The Scottish Government is yet tae repone tae the report o the SLWG. In repone tae a pairlamentary speirin in December 2023, the then [Cabinet Secreter fur a Weelbein Economy, Fair Wark and Energy, Neil Gray](#), seyed —

“ The Scottish Government walcomes the report o the short-life warkin group on economic and social opportunities fur Gaelic and has set up an inby Scottish Government steerin group fur tae tak tent o its braid hantle o recommendations. The Scottish Government expects tae pit oot a repone tae the group in the early months o 2024. ... The provisions in the [Scottish Leids Bill], includin the draftin o a Gaelic straitegy and Gaelic staunarts, the designation o areas o muckle linguistic mense and improvit Gaelic leid plans aw hae the potential tae mak progress on the recommendations on the key sectors that are identifiet in the Gaelic economy report and are the basis fae which Kate Forbes introducit the review in the first place.”

Scots

The Scots leid has less policy infrastructure dedicatit tae it nor Gaelic.

In 2015, the Scottish Government furthset its [Scots leid policy](#). Thon includes three ettles fur the policy—

- tae heeze the staunin o Scots in Scottish public and community life
- tae forder the acquisition, yaise and development o Scots in education, media, furthsettin and the airts
- tae forder mair yaise o Scots as a valid and visible means o communication in aw aspecks o Scottish life.

There has been nae evaluation o the progress agin they ettles.

Scots Leid Bodies

The Scottish Government’s 2022 consultation set oot a wheen Scots Bodies that the Government gied fundin in 2022. These were—

- Scots Language Centre (“Centre for the Scots Leid”) (SLC)
- Dictionaries of the Scots Language (“Dictionars o the Scots Leid”)
- Association for Scottish Literature
- Scots Hoose
- Scots Radio/Doric Film Festival
- Doric Board
- Scottish Book Trust (Scots Furthsettin Grant & Scots Bookbug app)
- YoungScot (Scottish Leids Panel).

The Scots Language Centre gies information and advice on Scots and fordere the yaise o

the Scots leid, culture and education. The Doric Board performs a siblike function but focusin anely on Doric. The Association for Scottish Literature, Scots Hoose and the Scottish Book Trust, alang wi the SLC, aw (amang ither things) gie support tae Scots education.

Unlike Bòrd na Gàidhlig, these bodies arenae Government bodies. Forby, unlike Gaelic, there arenae regular updates tae national strategies the noo.

2010 Warkin Group on Scots

In [2010, a Ministerial Warkin Group on the Scots leid](#) reportit and makkit recommendations across a hantle o areas—

- policy and straitegy
- education
- braiddcastin
- literature and the airts
- international contacts
- public kennin
- dialects.

The recommendations and analysis o the Warkin Group bide relevant fur the maist pairt. This paper willnae replicate aw the Warkin Group’s recommendations here, but it is wirth takkin tent o a when in the context o the current Bill.

The Warkin Group recommendit that the Government “pit thegither a national Scots leid policy wi reference tae the European Chairter fur Regional or Minority Leids; and thon maun be bieldit by an Act o Pairlament.” As notit abuin, a Scots leid policy wis furthset in 2015 and the current Bill ettles at makkin mair strang the policy framewark in relation tae Scots.

Unner Education, the Warkin Group said—

“ This is yin o the areas whaur action is needit maist urgently, at aw levels: pre-schuil, primary, secondary and tertiary (the hindmaist includin teacher trainin). The situation is richt critical in that the lack o resources and priority fur Scots in education the noo endangers aw the grund-brekkin progress makkit in recent years.”

The Warkin Group makkit a when recommendations fur tae practically mak mair strang the resources fur Scots education.

In relation tae dialects, the Warkin Group statit—

“ Scots as a spak leid exists in a wheen sindry forms, ilka ane strangly identifiet wi a particular area and a hantle o which hae been developit fur flourishin traditions o local literature. The need tae preserve the individual dialects and tak tent o their kenable identities, while at the ae time developin the leid as a hale, will require cannie and tentie plannin: in particular, the necessity o developin a staunart form o Scots fur official purposes maun be presentit sae as tae jouk ony appearance o a threit tae the dialects.”

Yin o the recommendations o the Warkin Group wis—

“ Local authorities should hae no jist a clear policy on Scots but a clear kennin o the dialects in their particular areas, and maun tailor the application o the national policy tae their ain particular context.”

European Chairter fur Regional or Minority Leids

The [European Chairter fur Regional or Minority Leids](#) is a Coouncil o Europe treaty. It wis pit thegither in 1992 wi the ettle o bieldin and forderin regional or minority leids in Europe and gien speakers o they leids the chance tae yaise thaim in private and public life. The UK becam a signatory in 2000 and ratifiet the Chairter in 2001.

Baith Gaelic and Scots are coverit by the Chairter, awbeit in sindry weys. The Chairter alloos fur twa levels o obligations. Pairt II o the Chairter sets oot a common core o principles fur the uphauin o regional or minority leids. They principles include—

- the kennin o the regional or minority leids as an expression o cultural wealth
- the need fur strang action tae forder regional or minority leids fur tae bield thaim
- the facilitation and/or forderin o the yaise o regional or minority leids, baith spak and scribevit, in public and private life
- the provision o appropriate forms and means fur the teachin and study o regional or minority leids at aw appropriate stages.

Pairt III contains a wheen specific provisions anent the yaise o the regional or minority leid in a braid range o public or civic life, sic as:

- education
- justice
- administrative authorities and public services
- media
- cultural activities and facilities.

States can determine gin a leid is coverit by the provisions anely in Pairt II or by thaim in baith Pairt II and Pairt III. Gaelic is coverit by baith parts and Scots is coverit anely by Pairt II.

The implementation o the Chairter is taen tent o by a committee o free-staunin experts.

The maist recent report o thon Committee, furthset in 2021, makkit yin ‘recommendation fur immediate action’ on Scots and twa on Gaelic.

In relation tae Scots, it seyed the Scottish Governmentⁱ should—

- provide forms and means fur the teachin and study o Scots at aw appropriate stages.

In relation tae Gaelic, it seyed the Scottish Government should—

- tak mair meisurs fur tae mak pre-schuil, primary and secondary education available in Scottish Gaelic
- haud forrit wi meisurs tae strengthen Scottish Gaelic education, especially through the trainin o teachers and the production o teachin and learnin materials.

The committee o experts is warkin on the neist report on the implementation o the Chairter in the UK the noo.

Leid Flit, Uphaudin and Reforderin

The ettle o the Bill is tae mak mair strang the policy framewark in relation tae the “uphaudin o Scotland’s hamelt leids, Gaelic and Scots”. This is pairt o ongaun efforts tae forder and uphaud they leids.

The staunin o leids and chyngin paitterns o yaise is an area o baith academic study and policy attention. The purpose o this section is tae set oot a when o the heidmaist concepts in brief and general terms.

Leid flit is whaur “a community o yaisers replaces yin leid by anither, or ‘flits’ tae thon ither leid” ([Grenoble, 2021](#)¹). Leid uphaudin can be descrivit as the process o or ongauns tae uphaud and haud forrit wi current yaisage; and leid reforderin is concernt wi forderin the staunin o a leid. Baith leid uphaudin and reforderin wad be thoct o as repones tae leid flit. (Lewis & McLeod 2021²).

Sindry srievers in the field o leid reforderin hae unnerlined sindry approaches. Hinton (2011)³ threapit that “Schuil-based programmes include exemples o the maist successfou cases o leid reforderin” and she pyntit forby tae the wirth o community simmer camps and adult learnin. She seyed that the “ultimate ettle fur leid reforderin wad be fur it tae regain its staunin as a leid o ilka-day communication within the speech community.” Fishman (1991)⁴ threapit that the family structure wis crucial tae successfou intergenerational haundin-on o leids. Romaine (2007)⁵ threapit that ane maun tak an ecological approach tae bieldin leids, that “the preservation o a leid in its maist mensefou sense ultimately entails the uphaudin o the group that speaks it.” The role o government is seen forby as important tae developin supportive policy framewarks.

A UK research projeck that taen place recently, [Revitalise](#), ettlet at takkin tent o the social, economic and political chyngees ower the lest decades and airtin oot whit this micht mean fur efforts tae reforder leids. It looked intae whether “chyngees in the nature o community life and in paitterns o interaction amang fowk hae implications fur the heidmaist emphasis

ⁱ The recommendations are directit tae “UK Authorities”; in practice, thon means the Scottish Government in this context.

that leid reordering frameworks have tended to put on the role of the local, territorially understood, community.” It speaks for by and for “the way that families organise their ilka-day lives and take care of their bairns” as well as looking at economic and governance changes.

Policy Goals in Scotland and Measures of Success

To a degree, the policy goals reflect the multiple breadth of areas of focus within Scottish Gaelic reordering. The National Gaelic Plan in place the now covers: community, home, creative industries, business and the economy, public authorities, and education (both school and post-school).

The current National Plan points to the good results from the Scottish Social Attitudes survey and the 2018-23 National Plan includes the goal of “Ordering a good image of Gaelic”. The 2018-23 National Plan did not, however, set out how this goal would be measured or that the Scottish Social Attitudes survey would be used as a marker of success.

The [Scottish Government's Scots Gaelic policy](#) goals are—

- ordering the status of Scots in Scottish public and community life
- ordering the acquisition, growth and development of Scots in education, media, publishing and the arts
- upholding the growth of Scots as a valid and visible means of communication in all aspects of Scottish life

The policy outcomes in Scotland tend to be formulated in overview and iterative terms. The goal is often “to order...” or “to grow...”, rather than measurable outcomes. Without clear policy goals and expected outcomes and measures, working out whether the policies and actions taken to support Scots and Gaelic are, on their own terms, successful, is difficult.

A number of frameworks have been developed for measuring the health of leids. For example, a [2003 paper published by UNESCO](#) identifies six key factors for measuring a leid's ‘vitality’. These were:

- intergenerational leid transmission
- absolute number of speakers
- proportion of speakers within the overall population
- vitality in domains of leid growth (i.e. the settings where the leid is used)
- response to new domains and media
- availability of materials for leid education and literacy.

The UNESCO paper says for by that “ **none of these factors should be used alone** ” (emphasis from the original text).

Data

There is a when data on this policy area. There is mair data in relation tae Gaelic nor Scots.

Census

The maist recent census data on leid yaise is fae the 2011 Census. The National Records o Scotland expects the data on leids fae the 2022 census tae be furthset later in 2024.

In relation tae Scots and Gaelic in 2011, [NRS reportit](#)—

Mair nor 1.5 million fowk seyed they could speak Scots.

Anither 267,000 fowk seyed they could unnerstaun Scots but no read, scribe or speak the leid.

1.1% o adults seyed they spak Scots at hame. The Shetland Islands, Aiberdeenshire, Moray and Orkney Islands had the maist muckle proportions o Scots speakers at hame.

Jist mair nor 57,000 fowk seyed they could speak Gaelic.

This wis a faw fae 59,000 in the 2001 census. 23,000 fowk seyed they could unnerstaun Gaelic, but no read, scribe, or speak it.

Cooncil areas wi the maist Gaelic speakers were:

- Eilean Siar (Western Isles), whaur 52.3% o the fowk could speak Gaelic
- Hieland, whaur 5.4% could speak Gaelic
- Argyll and Bute, whaur 4.0% could speak Gaelic

These were the areas whaur fowk maist commonly spak Gaelic at hame as weel. Aw in aw, 0.5% o adults in Scotland seyed they spak Gaelic at hame.

The nummer o fowk whae could speak Gaelic gaed doon atween 2001 and 2011 fur aw age groups except amang fowk unner 20, whaur there wis an increase o 0.1 o a percentage pynt.

The nummers abuin are gied as percentages o the population whae could speak Gaelic in ilka local authority. A muckle proportion o Gaelic speakers bide in ither local authority areas. Fur exemple, Glesga City had the third maist muckle nummer o Gaelic speakers reportit in the 2011 Census.

Scottish Social Attitudes Survey

In 2012 and 2021, speirins were includit in the annual Scottish Social Attitudes survey anent Gaelic. [The report](#) on this element o the survey fund—

“ Aw in aw, in the lest decade there has been an increase in the proportion o adults in Scotland wi some kennin o the Gaelic leid forby in exposure tae Gaelic public signage. The proportion o adults reportin exposure tae Gaelic durin bairnhood and recently in the media/online has bidit stable fae 2012, as has level o comfort wi hearin the leid spak, views on twa-leidit signage and perceptions o the importance o Gaelic tae the bygone o Scotland and the Hielands and Islands. There has been a flit taewart mair positive attitudes anent the leid in a wheen areas, includin views on Gaelic education, the importance o Gaelic tae ane’s ain cultural heritage, public spendin on Gaelic, and the future o Gaelic.”

Statistics on Gaelic Education

A wheen statistics cover the provision and tak up o Gaelic education. Bòrd na Gàidhlig pits oot annual statistics on Gaelic education; these are taen maistly fae the schuilbairn and teacher censuses. Whaur applicable, the source yaised here is the Scottish Government’s furthsettins raither nor the Bòrd’s.

Schuilbairns

The tables ablow shaw the nummer o schuilbairns whae hae Gaelic education. As notit afore, there are twa types o Gaelic education: Gaelic Medium Education and Gaelic Learner Education.

Primary schuilbairns

	Gaelic Medium Education	Gaelic learner classes	Nae Gaelic
2013	0.6%	0.9%	98.5%
2023	1.0%	1.2%	97.8%

Scottish Government, 2024⁶

Secondary schuilbairns

	A wheen subjects ither nor Gaelic leart through Gaelic	Gaelic the anely subject leart through Gaelic	Gaelic learner classes	Nae Gaelic
2013	0.2%	0.2%	1.1%	98.5%
2023	0.5%	0.2%	1.2%	98.1%

Scottish Government, 2024⁶

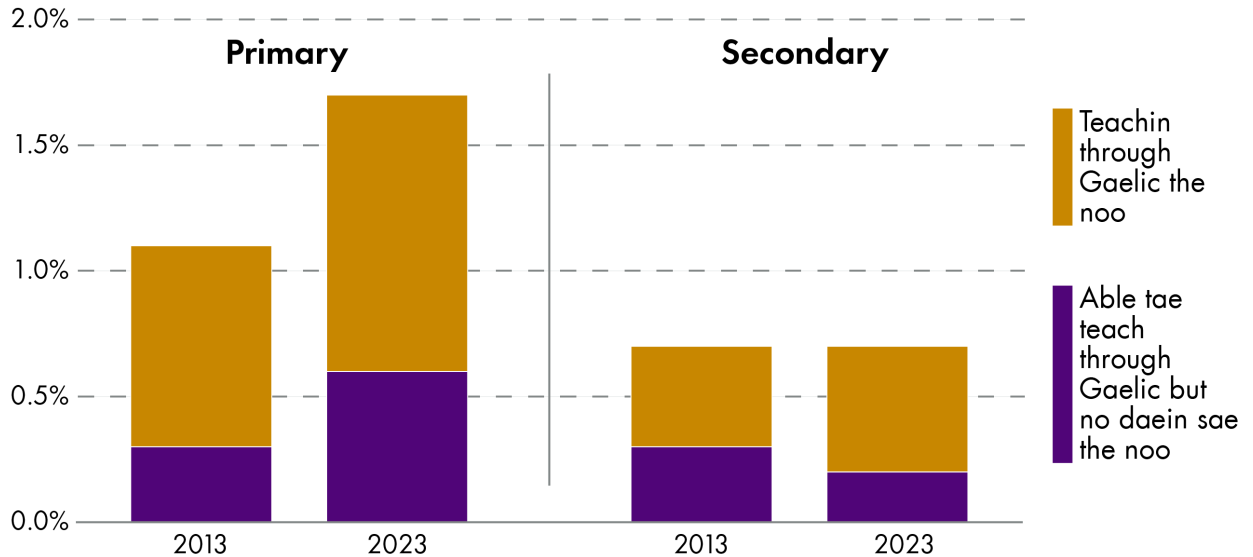
Atween 2013 and 2023 there has been proportionally a muckle increase in schuilbairns in GME. Hooivver, this bides a smaw percentage o schuilbairns in Scotland. There is muckle regional variation in the provision o GME.

The proportion o schuilbairns experiencin Gaelic learner classes has been heezed forby, but at a slower rate than GME. Aince mair, there are muckle variations atween local authorities in the statistics. It is kenspeckle that in 2023 a wheen local authorities that hae GME provision report that nae schuilbairns are learnin Gaelic as a saicont leid in English medium education (e.g. Glesga, Embra).

Teachers

The chart below shows the percentage of teachers (FTE) in Scotland who are teaching through Gaelic, or who potentially could teach through Gaelic, the noo.

Percentage of teachers (FTE) teaching through Gaelic



Scottish Government, Teacher Census

The data mirrors that for schoolchildren. There has been an increase in the percentage of teachers that teach in GME, particularly in primary school. However, the percentages are low and the potential to grow the number of GME teachers within the existing workforce would appear limited.

Scottish Government Funding

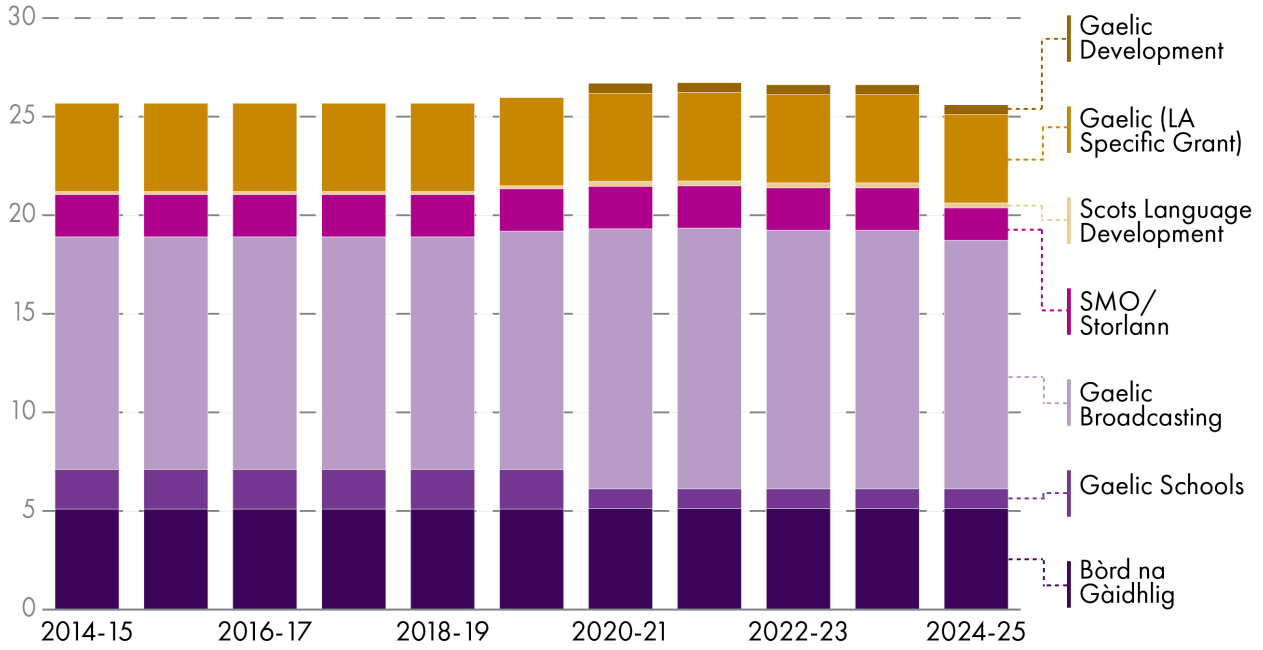
When lines in the Scottish Government's budget relate directly to the upholding of Scots and Gaelic. Resource funding (that upholds day-to-day expenditure) has been around £26 million a year for the last ten years.

In 2024-25, £25.6 million of resource funding in the Scottish Government's resource budget will be for Gaelic. Around half of this budget, £12.6 million, goes to Gaelic Broadcasting – that is the Scottish Government's contribution to MG Alba. The funding for Bòrd na Gàidhlig is £5.1 million.

The 2024-25 budget includes provision of £250,000 to uphold the operations of the Scots Language Centre and Dictionaries of the Scots Language and their funding of the Scots leids. The Government reports that it has increased its funding for Scots to around £550,000 per annum – that is not reflected in the annual budgets and comes from elsewhere in the Gaelic and Scots resource funding.⁷

The chart below shows the funding for Gaelic and Scots over the last 11 budgets.

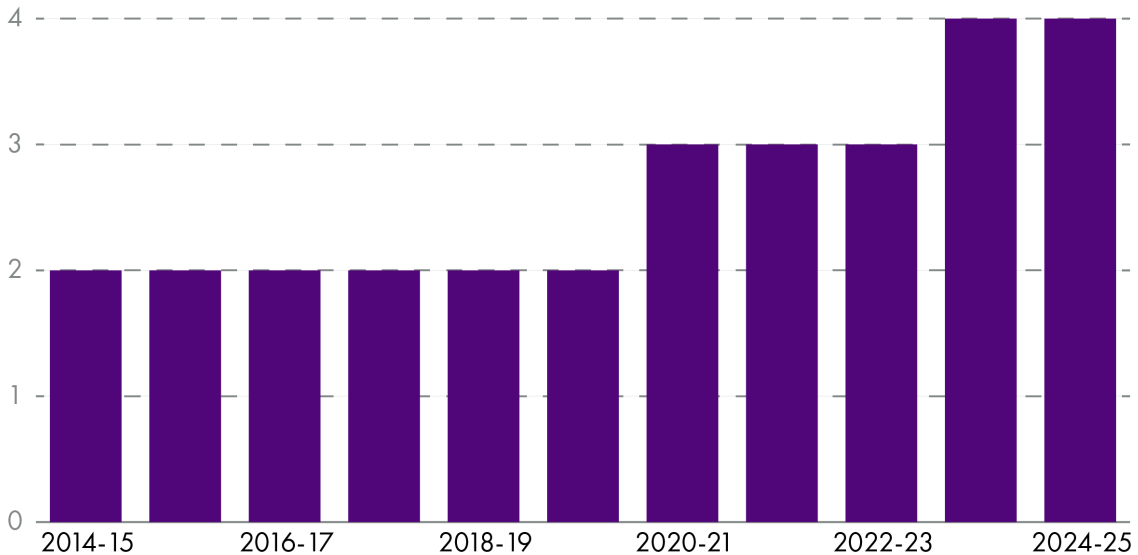
Gaelic and Scots Resource budgets (£millions)



Scottish Government Budgets

Forby resource fundin there is a Capital budget unner Gaelic. Thon is fur tae uphaid local authorities in providin Gaelic Medium Education. The chart ablow shaws hoo the fundin fur thon has gaed up over the lest 11 budgets.

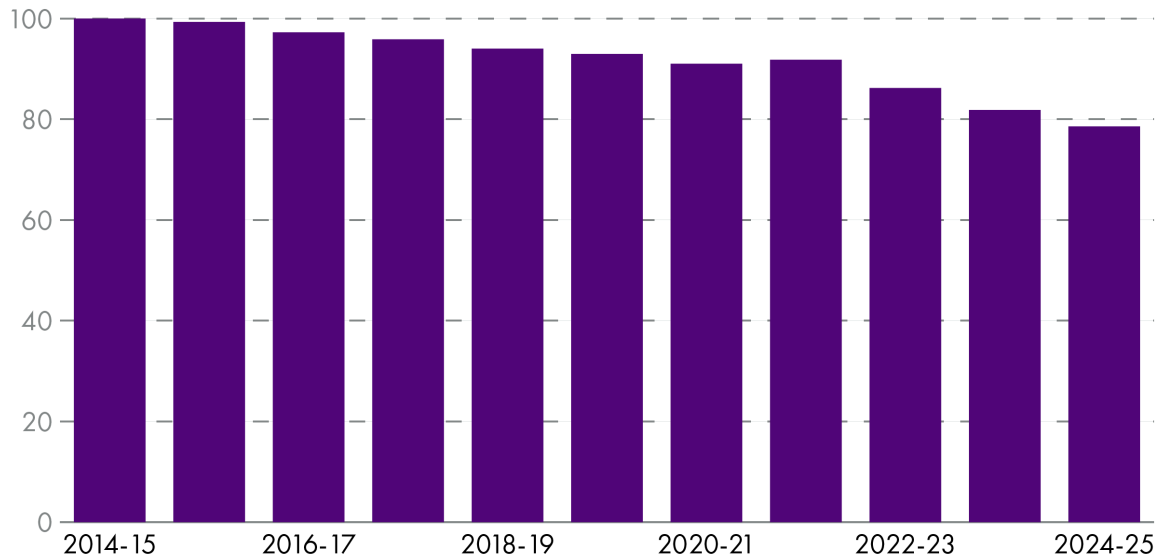
Gaelic Indirect Capital



Scottish Government Budgets

While the resource fundin over the lest decade is fair flat in siller terms, there has been an increase in the capital budgets. Taen thegither there has been a real terms faw durin thon period. The chart ablow shaws the real terms budgets fur Gaelic (and Scots) over the lest 11 budgets. The chart is an index whaur 2014-15 is 100.

Resource and Capital fundin, real terms, (Index: 2014-15 =100)



Scottish Government Budgets

On this index, 2024-25 is 78.6. Thon means that we can jalouse that the spendin poeer o they budgets in 2024-25 is around 21.4% lower nor thon o the equivalent budgets in 2014-15.

Fundin fur Gaelic will come fae ither sources forby, sic as local authorities and national agencies (e.g. Creative Scotland, Education Scotland).

CCMS Select Committee inquiry intae Minority Leids

The Commons' [CMS Select Committee is unnertakkin an inquiry intae Minority Leids the noo](#). The ettle is tae “consider the heidmaist factors determinin whether a minority leid hauds forrit, whit the criteria should be fur determinin official staunin, and whether there are lessons tae be learnt fae ither kintras whaur there is widespreid fluency in mair nor ane leid.”

Provisions o the Bill

The [SNP's manifesto in 2021](#) makkit a wheen commitments in relation tae Gaelic and Scots. These includit—

- uphaudin mair provision o Gaelic Medium Education
- haudin forrit wi the uphaudin o e-Sgoil, Stòrlann and Sabhal Mòr Ostaig
- explorin the makkin o “a mensefou Gàidhealtachd fur tae heeze levels o leid competence and the provision o mair services through the medium o Gaelic and braiden opportunities tae yaise Gaelic in ilka-day situations and formal settins”
- reviewin the functions and structures o Bòrd na Gàidhlig
- bringin forrit a new Scottish Leids Bill coverin baith Scots and Gaelic.

The Government unnertaen [a consultation on Gaelic, Scots and a Scottish Leids Bill in 2022](#). The consultation wis draftit gey braid and didnae contain specific legislative proposals. The current Bill wis pit thegither follaein thon consultation.

The Bill is in twa mensefou pairts coverin provisions relatin tae Gaelic and Scots. Within they twa pairts are Chaiptrs coverin uphaudin o the leids and education.

The Policy Memorandum that gangs along wi the Bill states—

“ The policy ettle o this Bill is tae gie mair support tae Scotland’s hamelt leids, Gaelic and Scots ... The Bill will mak mair strang the uphaudin and forderin o Gaelic and Scots by introducun a hantle o meisurs that will hae implications in a nummer o sectors in Scottish public life.”

(PM Paras 4-5)

The Policy Memorandum gied mair detail on the provisions o the Bill and their intendit ettles. This paper will briefly set oot and gang intae the heidmaist provisions o the Bill, raither nor seek tae replicate the Policy Memorandum.

Uphaudin o the Gaelic leid

Pairt 1, Chaiptr 1 o the Bill focuses on the uphaudin o the Gaelic leid.

Official Staunin

The ettle o the first section is tae lat ken that Gaelic has official staunin in Scotland. The Bill states that thon will be gied effect by:

- provisions in the 2005 Act (as amendit by the present Bill) in relation tae the functions o Bòrd na Gàidhlig, the Scottish Government and ithers in relation tae forderin, facilitatin and uphaudin the leid; and
- enactments in relation tae Gaelic education.

In relation tae thon provision, the Financial Memorandum states—

“ The statement is valuable fur the prestige and the mense o the leid and value and importance that is placit on the leid. Hooivver, nae financial costs arise fur the makkin o the statement in and o itsel.”

FM Para 20

National Straitegy and Gaelic Plans

A key chyngae tae the Gaelic policy launscape that Section 5 o the Bill pits forrit is that the Bòrd willnae pit thegither the National Gaelic Plan ony mair; rather the Government will pit thegither a National Gaelic Straitegy. The Financial Memorandum mints that the first National Gaelic Straitegy will be pit oot around 2028, at the end o the period coverit by the current National Plan.

The Policy Memorandum comments that—

“ Fur tae mak progress wi Gaelic it is necessar that there is an agreed set o priorities fur the leid and that the provision o a Gaelic leid straitegy will be hae heezed staunin by bein issued direct fae Ministers.”

PM Para 19

The Bill provides that baith Scottish Ministers and public bodies will be requirit tae hae regard tae the National Straitegy whan exercisin their functions. Public authorities will be requirit tae hae regard tae the National Straitegy whan pittin thegither their Gaelic Plans – the noo, they wad hae regard tae the National Gaelic Plan.

Section 6 o the Bill provides that Ministers can mak regulations that set staunarts fur public bodies. The Financial Memorandum states that these pooers will first o aw be yaised tae “flit content and requirements that hae appeared in statutory guidance and Gaelic leid plans intae regulations.” (FM para 42)

Section 7 provides fur a general duty on public authorities tae “hae regard tae the desirability” o uphaudin Gaelic and Gaelic culture.

The Bill provides that Ministers can pit oot guidance on thon general duty or on the pittin thegither o plans. Ministers micht forby gie directions tae specific public bodies on their Gaelic Plans or the general duty tae consider uphaudin Gaelic.

The flit awa fae the Bòrd pittin thegither National Gaelic Plans tae the Government pittin thegither a National Straitegy micht mak accoontability fur ootcomes fur the leid mair clear. The Scottish Government sets budgets and sae haein the straitegy sittin wi the budget-setters micht provide fur mair mensefou policy coherence as weel. Forby, the pooers in the Bill provide the Government wi mair tools fur tae mak siccar that public authorities are focusin on the uphaudin o Gaelic.

The Role o Bòrd na Gàidhlig

The Bill wad chyngae the role o the Bòrd.

As notit afore, the Bill wad tak awa its responsibility tae pit thegither the national strategic document. Forby, it will flit the duty tae pit thegither and furthset statutory guidance on

Gaelic education fae the Bòrd tae Scottish Ministers

The Bill wad also pit mair duties on the Bòrd. These include:

- reportin on progress agin the ettles o the National Straitegy
- reportin on the compliance wi ony staunarts set by Ministers and agreed by Pairlament
- reportin on public bodies' foufillin the general duty tae “hae regaird tae the desirability” o uphauin Gaelic and Gaelic culture.

The Bòrd wad hae duties tae advise or assist public bodies, or “ony person”, on maitters anent the leid, Gaelic education, or Gaelic culture. The Bòrd will haud on tae its pooers tae require public bodies tae pit thegither Gaelic leid plans.

On 13 December 2019, Audit Scotland furthset a [report](#) unner Section 22 o the Public Finance and Accountability (Scotland) Act 2000 on the performance o the Bòrd. The Section 22 report unnerlined a nummer o areas fur improvement, particularly relatin tae governance and evendounness. [In 2021, Audit Scotland reportit](#)

that the Bòrd had “dealt wi trauchles in its leadership and governance”. The Bill seeks tae provide fur mair accoontability o the Bòrd tae Ministers and Pairlament through a new duty tae pit thegither a corporate plan.

The Scottish Government’s 2022 consultation fund a mixer-maxter o opinions anent the Bòrd and its functions. The [overview o repones seyed](#)—

“ There wis a mixer-maxter o views on the duties, functions, and structure o Bòrd na Gàidhlig. Respondents suggestit that Bòrd na Gàidhlig requires mair fundin fur its duties. A wheen statit that the organisation maun be restructurit. A few unnerlined the imperative aspeck o trystin wi communities mair fur tae identify the best weys tae forder Gaelic. Finally, some respondents werenae satisfiet wi the current ongauns o Bòrd na Gàidhlig and suggestit that it should be disbandit.”

Areas o Muckle Linguistic Mense

Ane o the ideas speirt anent in the Government’s 2022 consultation wis the makkin o a Gàidhealtachd. In this context, thon wad be a mensefou area whaur there is heezed support fur Gaelic. The [SNP’s manifesto statit](#) that a mensefou Gàidhealtachd could be yaised tae “heeze levels o leid competence and the provision o mair services through the medium o Gaelic and braiden opportunities tae yaise Gaelic in ilka-day situations and formal settins.”

The [Government’s 2022 consultation document](#) notit the potential fur this suggestion tae fash fowk. It statit—

“ Some regaird the term Gàidhealtachd as a specific location tae be geographically designatit. They wad see the ettle o this commitment tae be tae mak Gaelic mair strang in geographical areas whaur it is spak by a muckle percentage o the fowk. They jalouse that there are certain areas whaur the Gaelic leid has mair o a heezed profile and that certain leid uphauidin initiatives should tak place in they areas. At the ae time a nummer o interest groups didnae view the delivery o thon commitment as a straightforrit task. Questions were speirt anent hoo thon commitment sat wi the concept that Gaelic should be fur aw o Scotland and should be a national leid. This was connectit tae the concern anent ongaun support fur Gaelic in ither areas, sic as Glesga or Embra, that nicht be defined as non-Gàidhealtachd. There were mintins that thon approach might be sinderin, nicht be fykie fur the allocation o grants and gin a line wis tae be drawn on a map it wad be fykie tae reach agreement on the criteria fur thon decision.”

The [analysis o repones tae the consultation](#) unnerlined the mixer-maxter o opinions around thon proposal and the Bill has taen a sindry approach. Raither nor a nationally set-oot Gàidhealtachd, the Bill gies local authorities the pooer tae designate pairt or aw o their area as “areas o muckle linguistic mense”. This designation is subject tae a consultation forby approval by Ministers. The Policy Memorandum seyed that this approach wad mak siccar that there wad be support fur Gaelic across Scotland while includin “the possibility o proportionate support, dependant on the profile o the leid in differin areas” (para 35)

The Bill propones that areas that meet either o the follaein criteria could be designatit an area o muckle linguistic mense.

- at least 20% o the fowk o the area hae “Gaelic leid skills”
- the area:
 - “is historically connectit wi the yaise o Gaelic”
 - has GME provision, or
 - has “mensefou ongauns relatin tae the Gaelic leid or Gaelic culture”.

Yin could threap that a gey muckle proportion o Scotland wad meet ane o they tests.

At this pynt, it isnae clear whit a designation wad mean fur a local authority, or ither public authorities, in relation tae ony mair duties or resources. The Policy Memorandum statit that “designatin areas o muckle linguistic mense provides a community framewark within which Gaelic leid plannin activity can tak place.” (PM para 49). The Financial Memorandum identifies costs o the designation process but identifies nae mair costs tae heeze the support fur Gaelic in they areas.

Gaelic Education

The Bill maks a wheen chynges tae the provision o Gaelic education. These include—

- braiden richts o parents tae seek Gaelic Medium Education in Early Learnin and Bairncare
- includin Gaelic education as pairt o the statutory definition o schuil education across

Scotland.

The Bill wad provide fur a duty on Ministers tae “forder, facilitate and uphaud” Gaelic education. Forby, it wad gie Ministers a range o pooers tae set staunarts and pit oot guidance on Gaelic education.

Taen thegither, the Bill seeks tae heeze local authorities’ focus on the provision o Gaelic education and gies the Scottish Government mairs tools tae yaise tae shape or direct the provision o Gaelic education across Scotland or in local areas.

Access Tae and Assessment o Gaelic Medium Education

The Bill wad braiden the process fur parents/carers tae request an assessment o the need fur Gaelic medium primary education fae their local authority. Thon process is set oot in the Education (Scotland) Act 2016 and the Bill maks a nummer o amendments tae thon Act that braiden the process tae include Gaelic Medium Early Learnin and Bairncare.

[Section 14 o the 2016 Act providit](#) a pooer fur Ministers tae achieve thon ettle through regulations. It isnae clear whit wey the Government hasnae optit tae yaise thon existin pooer in the 2016 Act. The Bill wad repeal Section 14 o the 2016 Act.

Chynge Tae the Definition o Schuil Education

Section 15 o the Bill is gied the title “General duty tae provide education includes Gaelic education”. This section will amend Section 1 o the Education (Scotland) Act 1980 – mair specifically the subsection that defines “schuil education” in thon Act.

The statutory definition o schuil education is generally richt braid. On the hale, legislation doesnae specify subjecks nor the method o teachin. There are twa exceptions – yin is the “teachin o Gaelic in Gaelic speakin areas” (the ither is Religious Instruction/Observance). The teachin o Science, Maths, Literacy etc isnae set oot explicitly in statute. The noo, ony education authority can include the teachin o Gaelic, either GLE or GME, ootwi “Gaelic speakin areas”, as pairt o the schuil education fur their area.

[Section 1\(1\) o the 1980 Act](#) states—

“ ...it shall be the duty o ilka education authority tae mak siccar that there is makkit fur their area adequate and efficient provision o schuil education and further education.”

Muckle o the text o Section 1 qualifies thon duty, fur exemple, that further education isnae education a college micht fur ordinar deliver that leads tae a qualification. The Bill seeks tae amend section 1(5). Thon sub-section defines schuil education and further education within the 1980 Act; ither legislation refers tae definitions within the 1980 Act. The noo, section 1(5) reads—

In this Act—

(a) “schuil education” means progressive education appropriate tae the requirements o schuilbairns, regaird bein gien tae the age, ability and aptitude o sic schuilbairns, and includes—

- (i) early learnin and bairncare;
- (ii) provision fur special educational needs;
- (iii) the teachin o Gaelic in Gaelic-speakin areas;

(b) further education includes—

- (i) ...
- (ii) voluntary pairt-time and fou-time courses o instruction fur persons ower schuil age;
- (iii) social, cultural and recreative ongauns and physical education and trainin, either as voluntary organised activities designed tae forder the educational development o persons takkin pairt therein or as pairt o a course o instruction
- (iv) the teachin o Gaelic in Gaelic-speakin areas

The duties on local authorities set oot in education law in Scotland are aft drawn gey braid and open tae interpretation. In yin o the key textbooks on Education Law in Scotland, Janys Scott KC, reflectin on thon subsection, seys “as pairt o ‘schuil education’, authorities should provide Gaelic in Gaelic-speakin areas.” (Scott 2003⁸). The Bill wad amend section 1(5)(a)(iii) tae read “Gaelic learner education and Gaelic medium education”; it wad amend Section 1(5)(b)(iv) tae read “the Gaelic leid”.

The Explanatory Notes that gang along wi the Bill state—

“ Section 15 o the Bill modifies the 1980 Act sae that it is kenable that the provision o Gaelic learner education and Gaelic medium education faws within the definition o schuil education, and that therefore an education authority’s duty tae mak siccar the provision o adequate and efficient schuil education fur the authority’s area nicht include Gaelic learner education and Gaelic medium education (insertin definitions o they terms intae the 1980 Act fur tae be consistent wi the 2016 Act). This nae langer applies in Gaelic speakin areas alane (which werenae defined in the 1980 Act, leadin tae the potential fur doutsomeness. Forby, the teachin o the Gaelic leid as pairt o an education authority’s duty tae provide further education nae langer applies in Gaelic speakin areas alane.”

EN Para 54

The Policy Memorandum sets oot mair—

“ This section taks tent that the geography o Scotland’s Gaelic speakin communities has chyngit muckle syne the Education (Scotland) Act 1980. The Gaelic speakin population is noo awmaist even dividit attween the traditional Gaelic speakin areas within Comhairle nan Eilean Siar, Hieland Coouncil and Argyll & Bute Coouncil and the Gaelic communities o Glesga City Coouncil and Embra City Coouncil amang ither local authorities. The hindmaist areas mak up, forby, some o the leid’s maist muckle areas o growth and syne the ability tae access ilka form o Gaelic education within thaim is vital tae its bidin on. This provision contributes tae the ettle o braidenin the areas whaur Gaelic is taen tent o.”

PM Para 68

While there hae been caws fur a richt tae access GME, it is no the Government’s statit ettle that schuil education maun include Gaelic education fur aw education authorities. Baith the Explanatory Notes and the Policy Memorandum state that the duty as amendit “micht include” the teachin o Gaelic. Hooivver, the Bill doesnae insert the wird “micht” in relation tae the teachin o Gaelic.

Gin the Government’s ettle wis tae clarify that schuil education “micht include”, raither nor “includes”, the teachin o Gaelic, the draftin o the Bill could hae correspondit mair closely tae the wirdin in the documents that gang alang wi the bill.

The Bill provides that ilka local authority maun “forder, facilitate and uphaud” Gaelic education in schuil education and adult education providit by local authorities. This pits on local authorities a mair braid duty nor is the case the noo. Section 15 o the 2016 Act provides that local authorities maun “forder the potential provision” o Gaelic education. They authorities that provide Gaelic education maun “sae faur as reasonably prestable, forder and uphaud” thon provision.

The Bill provides that local authorities maun foond catchment areas fur schuils unner their management that provide GME. They catchment areas micht differ fae and overlap wi catchment areas fur English medium education schuils. Thon provision reflects statutory guidance the noo.

Ministers' Duties and Pooers

Section 11 pits a new duty on Scottish Ministers tae “forder, facilitate and uphaud” Gaelic education in schuil education and adult education providit by local authorities.

Section 12 wad provide that Ministers micht mak regulations that “specify the staunarts and requirements” fur local authorities providin Gaelic education. They regulations micht set staunarts that apply tae sindry areas in sindry weys. The Policy Memorandum statit—

“ Although guid progress has been makkit in Gaelic education, the provision o staunarts will deal wi a nummer o the issues aye seen as trauchles in Gaelic medium education and will mak clear tae parents whit can be expectit whan a young person starts Gaelic medium education. In general, the issues that wad be thocht o as areas that maun be addressit in GME/GLE include the follaein. GME access tae provision and local authority forderin o GME, GME as a 3-18 experience and GME haudin forrit, GME subject choice, curriculum and assessment arrangements, GME teacher recruitment, placement, retention and professional learnin, Teacher and schuilbairn support and resources, O-3, early years provision and linguistic acquisition, Class sizes, leid assistants, doukin and fluency, taen tent o GME whan settin national expectations, inclusion o GME in the plannin fur and reportin by schuils whaur GME is providit, Gaelic learner education at aw levels and establishin ho national bodies and agencies can better wark thegither tae uphaud GME and GLE. A hantle o thaim hae been includit in the Statutory Guidance on Gaelic education and will be addressit in Staunarts and Straitegy forby.”

PM Para 62

The Bill provides Ministers forby wi the pooer tae pit oot guidance on Gaelic education fur public authorities and tae mak directions fur individual local authorities in relation tae their provision o Gaelic education.

Section 2 o the Education (Scotland) Act 1980 provides that Ministers can mak regulations “prescrivin the staunarts and tae aw local authorities in requirements tae which ilka education authority maun conform in” makkin siccar schuil education. The Explanatory Notes threap that specific pooers are needit in relation tae Gaelic education tae alloo fur differentiation atween areas.

Uphaudin o the Scots Leid

Pairt 2 o the Bill is structurit siblike tae Pairt 1.

Unner Chaipter 1 o the Bill, the Bill lats ken that Scots “has official staunin within Scotland”. Thon is tae be gied effect “by the provisions in this Act conferrin functions on the Scottish Ministers and ither persons in relation tae forderin, uphaudin and facilitatin the yaise o the Scots leid.” The Bill defines Scots as “the Scots leid as yaised in Scotland”. In relation tae lattin ken that Scots has official staunin, the Financial Memorandum states—

“ The statement is valuable fur the prestige and the mense o the leid and value and importance that is placit on the leid. Hooivver, nae financial costs arise fur the makkin o the statement in and o itsel.”

FM Para 103

The Bill provides that Ministers maun pit thegither a Scots leid straitegy. Ministers and Scottish public authorities will maun “hae regaird tae” the straitegy in cairryin oot their functions. Ministers nicht pit oot guidance forby. Aince mair, Scottish public authorities will maun “hae regaird tae” thon guidance.

Ministers will report on the progress o the straitegy. This merks a difference atween the Scots and Gaelic straitegies pit forrit in the Bill, fur the progress o the Gaelic straitegy will be reportit on by Bòrd na Gàidhlig raither nor by the Government.

The Policy Memorandum notit that the Government had gied thocht tae foondin a Scots leid public body but had decidit agin thon. It seyed—

“ A when smaw Scots bodies operate wi support fae the Scottish Government the noo. They bodies hae braid expertise and guid community links and will syne be weel placit tae uphaud and tak forrit the provisions o this Bill. The Scots bodies hae guid warkin relations wi Scottish public authorities in relation tae the uphaudin o Scots forby.”

PM Para 100

Scots Education

The Bill defines Scots leid education as “education consistin o teachin and learnin in the yaise and unnerstaunin o the Scots leid”.

Siblike tae the chaipiter on Gaelic education, the Bill provides that Ministers and local authorities hae a duty tae “forder, facilitate and uphaud” Scots leid education. Forby, Ministers will hae the poer, by regulations, tae set oot staunarts and requirements in relation tae Scots leid education. They regulations micht apply in sindry weys in sindry areas. The Bill provides that Ministers micht pit oot guidance on Scots leid education forby.

The Bill provides fur a duty on Ministers tae mak siccar that the “progress makkit in the delivery o Scots leid education in schuils” is reportit on.

Finance

The Financial Memorandum (FM) sets oot the eikit-on costs jaloused tae arise fae the Bill. An important pynt maun be taen tent o here – the FM sets oot the costs o takkin forrit the provisions in the Bill, no the costs o the consequences o they actions. Fur example, it gies jaloused-at costs fur tae develop straitegies, but no the costs o deliverin on they straitegies.

The FM states—

“ The heidmaist impact o the Bill provisions is a flit in activity, a re-ettlin o resources in terms o ongauns and tent. The Scottish Government considers that provisions dinnae mak fur costs that are hale new or a requirement fur hale new spend.”

FM Para 13

The table ablow shaws the jaloused-at costs up tae 2029-30.

Costs timeline 2024-25 to 2029-30 (£)

	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	Total
Gaelic		180,500	116,000	149,000	51,000	23,000	519,500
Scots		175,000					175,000
Total		355,500	116,000	149,000	51,000	23,000	694,500

Aw in aw, the cost o the Bill is jaloused tae be around £700,000 ower five year. Maist o thon fundin is mair wark fur existin public servants. Thon wad be, fur exemple, inpittin intae national straitegies.

The FM gies insicht forby intae hoo the Government expects provisions o the Bill tae be yaised and sequencit ower the first five year o operation. These include—

- around five local authorities are expectit tae seek tae designate an Area o Muckle Linguistic Mense in the first five year
- the National Gaelic Straitegy is expectit tae cover the five-year period fae 2028
- the National Scots Straitegy and the statutory guidance will be developit in 2025/26
- regulations settin education staunarts fur baith Gaelic and Scots are expectit around 2025-26.

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