

### **Education, Children and Young People Committee**

Schools (Residential Outdoor Education) (Scotland) Bill - Stage 1 Report



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# **Education, Children and Young People Committee**

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills and matters relating to the Historical Abuse Inquiry, redress and languages falling within the responsibility of the Deputy First Minister.



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# Membership changes

- 1. The following changes to the membership of the Committee took place during its Stage 1 scrutiny of the Bill—
  - Evelyn Tweed (SNP) 18 June 2024-15 January 2025
  - Keith Brown (SNP) 22 January 2025 to date

### Introduction

### Overview of scrutiny and purpose of the Bill

- The Schools (Residential Outdoor Education) (Scotland) Bill <sup>1</sup> was introduced in the Scottish Parliament on the 20 June 2024 by Liz Smith MSP, the Member in Charge. The Bill was accompanied by a Policy Memorandum <sup>2</sup>, Explanatory Notes <sup>3</sup>, Financial Memorandum <sup>4</sup> and a Delegated Powers Memorandum <sup>5</sup>. The Non-Government Bills Unit (NGBU) also produced an Equality Impact Assessment <sup>6</sup>. The Bill was referred to the Education, Children and Young People Committee on 25 June 2024. Both the Finance and Public Administration Committee (in relation to the Financial Memorandum) and the Delegated Powers and Law Reform Committee considered aspects of the Bill and their views are detailed later in this report.
- 3. The Bill establishes that all pupils in state and grant-aided schools will have the chance to experience at least four nights and five days of residential outdoor education during their school career. This can be provided all at once or on separate occasions as long as it totals to a minimum number of nights. The Bill does not make it compulsory for pupils to attend residential outdoor education.
- 4. The Bill has three main aims—
  - placing a duty on education authorities and managers of grant-aided schools to secure the provision of at least one course of residential outdoor education for each pupil
  - placing a duty on Scottish Ministers to prepare and publish guidance on the duty to secure the provision of residential outdoor education
  - providing that the Scottish Government provide funding to local authorities and the managers of grant-aided schools to carry out the duty to secure the provision of residential outdoor education.
- 5. As set out in the Policy Memorandum, many schools are not currently providing residential outdoor education for school pupils. It stated <sup>7</sup>
  - The level of provision of residential outdoor education has continued to decline and the Member considers that, to protect the continuation of this valuable opportunity for young people, it is necessary to legislate to ensure that it is a requirement that education authorities must offer residential outdoor education at least once in a pupil's school career.
- 6. The Bill makes provision for residential outdoor education for school children by amending the Education (Scotland) Act 1980 (1980 Act). It contains the following 5 sections—
  - Section 1 of the Bill aims to extend the scope of the 1980 Act by inserting 3 new sections to expressly include the provision of residential outdoor education, guidance on residential outdoor education and funding for

residential outdoor education;

- Section 2 inserts new provision into the 1980 Act so that education authorities
  must have regard to the provision of residential outdoor education by
  independent schools before placing a pupil in such a school (and covering their
  fees);
- Section 3 contains ancillary provision which allows the Scottish Ministers, by regulations, to make 'standalone' ancillary provision in relation to the Act or any provision made under it. This type of power is used to ensure that the Bill has its full intended effect;
- The last 2 sections deal with commencement and the short title.
- 7. The Policy Memorandum highlighted the Member in Charge's view that residential outdoor education should be provided between P6 and S4, although this is not set out in the Bill. The Policy Memorandum also stated that the Member in Charge 'wishes to allow flexibility for Education Scotland, local authorities and school leaders in making decisions on the age at which the opportunity should be afforded, so is leaving this to the guidance that is required under section 1 of the Bill.' <sup>7</sup>
- 8. The Committee launched a call for views on the Bill which ran from 3 July 2024 to 4 September 2024 and received 271 responses. <sup>8</sup> The Scottish Government produced a memorandum on the Bill <sup>9</sup> following its introduction and the Scottish Parliament Information Centre (SPICe) produced a briefing on the Bill. <sup>10</sup>
- 9. The Committee took evidence at its meetings on 6, 13 and 27 November 2024 and 18 December 2024 from the following witnesses—

#### 6 November

- Emeritus Professor Chris Loynes, Professor in Human Nature Relations, Institute of Science and Environment, Centre for National Parks and Protected Areas (CNPPA) & Outdoor Studies, University of Cumbria
- Professor Greg Mannion, Senior Lecturer in Education, University of Stirling, Scotland
- Dr Roger Scrutton (FRSE, FHEA) Honorary Research Fellow in Outdoor Education, University of Edinburgh

#### 13 November

#### Panel 1

- Andrew Bradshaw, Wider Achievement Manager (Outdoor Learning and Adventure Education), City of Edinburgh Council and Secretary of the Scottish Advisory Panel for Outdoor Education
- Matthew Sweeney, Policy Manager, Children and Young People, COSLA
- · Tara Lillis, Policy Official (Scotland), NASUWT

#### Panel 2

- Phil Thomson, Development Manager, Ardroy Outdoor Education Centre
- Nick March, National Chair, Association of Heads of Outdoor Education Centres Scotland
- Freda Fallon, Development Manager (Scotland), Outward Bound Trust
- Jamie Miller, Chief Executive, Scottish Outdoor Education Centres

#### 27 November

- · Natalie Don-Innes MSP, Minister for Children, Young People and The Promise
- · Saskia Kearns, Team Leader, Curriculum Development, Scottish Government
- · Nico McKenzie-Juetten Lawyer, Scottish Government Legal Directorate

#### 18 December

- Liz Smith, Member in Charge
- · Neil Stewart, Senior Clerk, Non- Government Bills Unit
- 10. In addition, the Committee held an informal discussion with teachers on Monday 9 December 2024 on general views on the Bill and how it would impact on teachers. A note of the discussion was published on the website.
- 11. On 16 December 2024, some members visited Broomlee Outdoor Education Centre, hosted by Scottish Outdoor Education Centres (SOEC) as part of its evidence gathering on the Bill.
- 12. The Committee would like to thank all those who provided oral and written evidence as part of our consideration of the Bill.

### **Background to the Bill**

- 13. On 28 April 2022, the Member in Charge lodged her draft proposal for a Member's Bill to "ensure that young people have the opportunity to experience residential outdoor education". <sup>11</sup> This draft proposal was accompanied by a consultation document <sup>12</sup> and the consultation ran from 29 April 2022 to 22 July 2022. The consultation received 539 responses (535 in Smart Survey and 4 sent by email) and a summary of the responses was produced by NGBU. <sup>13</sup>
- 14. The summary highlighted that of the 535 responses, 511 (just over 95%) indicated that they supported the proposal: 457 fully, and 54 partially. It said that in a number of cases, those that offered partial support did so on the basis that, while they backed the general thrust of the proposal, there were some areas that they felt might be revisited or developed further. These included the suggested age range of pupils that the proposed Bill is targeted at (12- to 16-year-olds). Several suggested

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- that this age range was perhaps too narrow, and that it should be widened to include children in primary schools, particularly P6 and P7 pupils.
- 15. Other concerns raised included: how the quality of the outdoor education provided could be guaranteed, whether there would be adequate financing and resources to fully implement the proposal, how the needs of pupils with additional support needs will be met, and what impact this proposed Bill, if enacted, might have on the provision of other services provided by schools.
- 16. The Member in Charge then lodged a final proposal on 24 January 2023: "A proposal for a Bill to ensure that young people, in particular those in their first four years of secondary school, have the opportunity to experience residential outdoor education to an approved educational standard." She secured the right to introduce a Member's Bill on 23 February 2023.

#### Overall views on the Bill

17. Almost all respondents to the call for views and witnesses giving oral evidence said that attending a course of residential outdoor education provides benefits to pupils and to staff. However, a number of concerns were raised regarding the costs associated with the Bill and aspects related to the implementation of the Bill as set out in this report.

### What is residential outdoor education?

- 18. The Policy Memorandum stated that, due to the range and variety of experiences available, it is difficult to provide a precise definition of the term "residential outdoor education". It highlighted that in 2010, Learning and Teaching Scotland stated in its report, Curriculum for Excellence for outdoor learners, that <sup>14</sup>
  - residential experiences refer to educational visits where outdoor learning is the main focus of the experience and which include one or more overnight stays. Residential experiences include using outdoor centres or youth hostels, camping, bivouacking, snow-holing or sailing boats.
- 19. The Policy Memorandum also highlighted the definition of outdoor learning by the Institute of Outdoor Learning as <sup>15</sup>
  - Outdoor learning is an umbrella term for actively inclusive facilitated approaches that predominately use activities and experiences in the outdoors which lead to learning, increased health and wellbeing, and environmental awareness.
- 20. Professor Greg Mannion, Senior Lecturer in Education, University of Stirling said that the term "outdoor education" as used in the Bill should be broadened to outdoor learning and that a wider perspective should be acknowledged rather than just focusing on residential outdoor education provision. He said <sup>16</sup>
  - Overall, residential centre provision—if that is what the Bill wants to support, and if you want to support those outcomes—is available to us, in policy terms... However, in the current context, when young people in Scotland were asked through the Children's Parliament what they wanted, they said that they wanted more time outside in nature and they wanted to address learning for sustainability.
- 21. A number of respondents to the call for views said that the definition of residential outdoor education as set out in the Bill was unclear, including the Association of Directors of Education Scotland (ADES) and Inverclyde Council who both said <sup>17</sup>
  - There appears to be an assumption that this links to outward bound activities but there could be several different interpretations e.g. visiting Kew Gardens and staying in a hotel in London and other cultural trips. Would attendance at Duke of Edinburgh Awards count as nights away? Could pupils camp in their school grounds? In the Bill outward bound experiences appear to be viewed as having a higher priority than trips linked to arts and culture, social subjects and other areas of the curriculum.
- 22. Professor Mannion argued for more flexibility in the Bill and that it should allow for residential trips to include studying history, drama, music or physical education for example. He said <sup>18</sup>—

- Flexibility in curriculum making and the interdisciplinary nature of learning for sustainability should be built into the Bill, so that teachers can be the driving force in decision making and meeting the needs of every young person..
- 23. The SPICe briefing on the Bill highlighted that 'residential outdoor education may be adventure-related education, but could also be related to a subject, such as a history or geography field trip. Furthermore, educational residential trips are not only for outdoor learning or adventure education. Residential trips could be, for example, an orchestra tour.' 10
- 24. Dr Scrutton also made the point that residential outdoor education provision is changing saying <sup>19</sup>—
  - There used to be a character-building approach. You had to hang off ropes, be scared stiff, face drowning in the loch and run a mile before breakfast—that sort of thing. That used to be the emphasis, but the focus is now on a much wider range of skills. Some of the activities involve, essentially, academic work. There might be a bit of conservation work or project work of one sort or another at the outdoor residential centre. There are lots of opportunities that we could work on to provide experiences that are available to everyone.
- 25. The Member in Charge explained that the provision of residential outdoor education is evolving and said <sup>20</sup>
  - It is not just about people climbing Munros, canoeing or rock climbing, which has perhaps been its image. Given their professional development, many of the people who deliver outdoor education are trying to embrace the spirit of the getting it right for every child policy—that is, we have to get it right for every child, whatever their needs are, in outdoor settings. They have done a huge amount not only to modernise the delivery of what they are offering but to try to articulate it with the modern curriculum, which I think is very important.
- The Member in Charge <sup>21</sup> reiterated her view as set out in the Policy Memorandum that the Bill should be able to complement and not undermine any other aspect of outdoor learning but that it should include the residential element. She said <sup>21</sup>
  - The reason why I am fixed on the residential aspect is the compelling evidence from teachers and pupils that residentials really are life-changing experiences, which is what it is all about.
- 27. The Committee notes the difficulty in providing a precise definition of the term "residential outdoor education" due to the range and variety of experiences available and that residential outdoor education provision is constantly evolving. Through its scrutiny at Stage 1, the Committee has gained further clarity of the Member in Charge's intentions in relation to the mandatory provision of residential outdoor education. However, should the Bill become law, the Committee believes it will be important to clearly define residential outdoor education in any guidance accompanying the Bill/Act.

# Benefits of residential outdoor education Pupils

- 28. The Policy Memorandum stated that the Curriculum for Excellence for outdoor learners highlighted some of the benefits of residential outdoor education, and noted that spending time away from the home environment gives children and young people opportunities to develop <sup>22</sup>—
  - confidence, by living more independently and making their own decisions,
    - resilience, by having individual and group ownership for learning, community living and sharing free time,
    - a sense of adventure, by exploring new places and new environments,
    - an appreciation of the benefits of a healthy lifestyle through physical activity,
    - · a chance to reflect on experiences and learning.
- 29. The Policy Memorandum also refered to a number of studies, including the Learning Away consortium research report, which highlighted numerous short, medium and long term benefits of attending residential outdoor education trips. The many benefits listed included increased self-confidence, independence, enhanced relationships and a positive impact on attainment, and particularly on children from disadvantaged backgrounds. <sup>23</sup>
- 30. In addition, the Policy Memorandum highlighted research which also showed the beneficial impact of residential outdoor education on children and young people with disabilities which found 'an increase in confidence, independence and realisation of personal ability were the key outcomes, resulting from challenge, teamwork and achievement'. It also pointed out that the Bendrigg Trust, which specialises in outdoor residential programmes for people with disabilities, recorded 'increases in self-confidence, greater independence, improved physical and mental wellbeing, increased feelings of inclusion, and improved social skills for over 90% of their visitors.' <sup>24</sup>
- 31. Almost all respondents to the call for views said that attending a course of residential outdoor education provides benefits to pupils. Many pupils themselves responded to the call for views highlighting the positive aspects of attending a residential outdoor education visit and said these should be available to all pupils, not just those whose parents can afford to pay. Comments from pupils included—

- "
- The Scottish Government should provide funding to every pupil because not all parents can afford to pay for residential. No child should be left out if their parents can't afford it. <sup>25</sup>
- I went to a residential in primary 6 and I think every child should have the opportunity to go to a residential because we can conquer fears like heights or going away from home. Also I think people build relationships with friends and teachers. <sup>26</sup>
- The reason I think we should have residentials is because they are critical to our learning. It gives us the skills of perseverance and independence and discovering new things. <sup>27</sup>
- I think every child should have the experience because you get so many different opportunities and learning experiences. You don't get the same learning in the classroom that you get on a residential. You learn so many skills and conquer more fears.
- 32. Evidence to the Committee from teachers, local authorities and residential outdoor education providers all highlighted of the benefits to pupils of residential outdoor education such as increased resilience, confidence, leadership skills and improved mental health wellbeing. Professor Mannion made the point that mental and general wellbeing is improved through contact with nature which a key aspect of the wellbeing agenda, and that wellbeing is one of the cornerstones of curriculum for excellence. <sup>29</sup>
- 33. Aberdeen City Council commented that the expected benefits for pupils can include: confidence building; social skills; mental well-being; environmental awareness; connection with nature; risk-taking; resilience; adaptability; and learning by doing. <sup>30</sup>
- 34. Similarly East Renfrewshire Council argued that outdoor education can be a valuable part of the curriculum and encourages independence, resilience, problem-solving, teamwork, and practical application of knowledge and skills. It stated <sup>31</sup>—
  - These experiences contribute to personal growth that supports not only academic achievement but also long-term success in various aspects of life.
- 35. The Institute for Outdoor Learning highlighted research on the positive impact of outdoor learning stating <sup>32</sup>
  - Evidence supports positive impact on building social capital, fostering pride, belonging and community involvement, while a growing number of Social Return on Investment Studies (SROI) are showing a significant return on investment in relation to wellbeing and preventing poor mental and physical health, and positive learning outcomes.
- 36. The point of a positive return on investment was also made by the Outward Bound Trust who highlighted this in its written submission. It commented that 'for every £1 invested in Outward Bound programmes, there is a return of between £5 and £15'. It explained that this was calculated from research conducted by Outward Bound International covering eight countries, including the UK, which looked at the 'positive

- and lasting impact that these programmes have on young people's lives, which extends well beyond the duration of the course itself.'  $^{33}$
- 37. Child Poverty Action Group (CPAG) in Scotland commented on the importance of outdoor learning stating that 82% of pupils taking part in their Cost of the School Day Big Question, an interactive schools survey which ran throughout Challenge Poverty Week 2023, said it is very or quite important to be able to go on school trips. It stated <sup>34</sup>
  - Many of their 'dream trip' suggestions were outdoor learning related, with mention of outdoor centres like Dalguise, Auchengillan, Lapwing Lodge and Ford Castle and dream activities like swimming and watersports, camping, visiting beaches and lochs, mountain hikes, cycling, rock climbing, ziplining, archery, horse riding, canoeing and paddle boarding: "I would want to do swimming so I can learn", "I would go up in the highlands and climb mountains and paddle board. And canoe."
- 38. Dr Roger Scrutton, Honorary Research Fellow in Outdoor Education, University of Edinburgh commented that there were many evidential examples of the link between outdoor residential experiences and subsequent improved academic performance. He told the Committee that his research had shown that children from deprived communities tend to get more from a residential outdoor visit than other children <sup>35</sup> and that they retained the benefit for longer. 36
- 39. Emeritus Professor Chris Loynes, Professor in Human Nature Relations, Institute of Science and Environment, Centre for National Parks and Protected Areas (CNPPA) & Outdoor Studies, University of Cumbria highlighted his own research which had shown significant improvements in maths and literacy scores and exams for English pupils in their equivalent of P6 and S4 especially for low achievers. <sup>37</sup> He spoke of the change in the relationships between pupils, and between students and their teachers following an outdoor residential trip and gave an example of a lowattaining literacy group's experience saying <sup>38</sup>
  - As a result of a residential, they learned how to work together, collaborate and take initiative. They decided to set themselves writing and spelling challenges and, in a month, they upped their literacy scores from being low attaining to being in the middle of the upper-attaining group. That took place without any knowledge on the part of the teacher: she did not know how they had managed to progress their scores until we told her, based on our research evidence, about what they had been up to.
- 40. When asked about whether outdoor learning in any form was as valuable as residential outdoor trips, Professor Loynes highlighted his research which found that the unstructured time built into residentials without adults present was where 'the learning gets deepened'. He said <sup>39</sup>—
  - Neuroscience increasingly supports the claim that there is something about what happens in the brain in the diurnal cycle. You wake up in the morning, you are still there and you have another day to follow on from what you did the day before. There is an iterative process of thinking, "Here we go again, but I've got more confidence today and I'm going to try some new things. I've made a new friend and I can build on that." That process is of particular value.

- 41. In its memorandum on the Bill, the Scottish Government acknowledged the benefits of outdoor education more broadly stating <sup>40</sup>
  - The Scottish Government is committed to improving outdoor learning provision in Scotland, ensuring that all learners are experiencing regular, enjoyable, and challenging outdoor learning experiences that are embedded across the 3-18 curriculum. Naturally, this includes support for outdoor residential experiences and ensuring equity of access to such opportunities.
- 42. During evidence, the Minister said that the Scottish Government's vision was that 'all children and young people should have the opportunity to engage in progressive and creative outdoor learning in all its forms, regularly, as part of the curriculum.' The Minister said that the Scottish Government values 'the important work that residential outdoor centres do to support our young people's mental and physical health, confidence, team-working skills, resilience, communication skills and personal development.' <sup>41</sup>

#### Wider benefits

- 43. The potential wider benefits of residential outdoor education were highlighted in the Policy Memorandum, which quoted a report from the Outward Bound Trust which said <sup>24</sup>—
  - Professionally, the teachers reported benefiting from observing their pupils' progress and achievements during the course, improving their relationships with their pupils and increasing their understanding of their pupils' abilities. Some of them also reported that, as a result of working alongside our instructors, they had developed knowledge and skills that would help them to be more effective teachers.
- 44. During the informal session with teachers, many spoke of the benefits, not only for pupils but for teachers themselves. Comments included  $^{42}$ 
  - One teacher said it was great for teachers to see their pupils outwith the school setting and to witness pupils achieving in various activities.
    - One teacher explained that teachers generally want to be with their class on a residential trip and it was important in building relationships.
    - Residential trips provided areas of reference for teachers to go back to when dealing with difficult situations with pupils.
    - One teacher said GIRFEC is a big driver for going on residential trips.
- 45. Nick March, representing the Association of Heads of Outdoor Education Centres (AHOEC) Scotland, spoke of positive relationship building opportunities and highlighted the following comments from a teacher <sup>43</sup> —

- It's the foundation for the year ahead and the relationships that are forged on camp make the relationships in the classroom far stronger, more understanding and more effective. Relationships are at the heart of what we do. Positive relationships between staff and pupils and within staff teams make anything possible and learning limitless. There is nothing more effective to high-quality teaching and learning than strong and positive relationships and there is nothing more effective to achieving these quality relationships than a week-long residential.
- 46. The Member in Charge echoed these points saying residential outdoor education enhances the teacher-pupil relationship. She said <sup>44</sup>
  - You learn so much as a teacher from that. I was a teacher for 16 years and I still contribute to a lot of outdoor education, and I learn so much from just watching youngsters who might have thought that they would never be able to do something and yet they did it.
- 47. The Committee recognises that residential outdoor education can bring life-changing benefits to both pupils and teachers, building pupils' confidence and believes there is significant positive value to residential outdoor education in developing the teacher-pupil relationship and improvement in attainment.
- 48. Given these benefits, the Committee believes that all pupils should have the opportunity to experience residential outdoor education at some point in their school career.
- 49. Whilst the Committee welcomes the inclusive approach taken by the Bill, it also recognises that there are some challenges in relation to its universality, including in relation to how any statutory requirement to provide residential outdoor education should be funded. The Committee also recognises that young people with disabilities should get the support they need to enjoy the right equally and that this has additional resource implications. These concerns are explored in more detail later in this report.

### Links to the curriculum

- 50. Outdoor learning is encouraged in Scotland. At its basic level, outdoor learning is any learning that takes place outside.
- 51. In 2010 Learning and Teaching Scotland published Curriculum for Excellence Through Outdoor Learning which set out the Scottish Government's vision for outdoor learning in Scotland. It stated that "progressive outdoor learning experiences are best delivered through a combination of school-based outdoor learning and residential programmes."
- 52. Another aspect of the intended approach to curriculum making in Scotland is Learning for Sustainability (LfS). The latest LfS Action plan published in 2023, The Target 2030: A Movement for People, Planet and Prosperity Scotland's Learning for Sustainability Action Plan 2023-2030 says LfS is a <sup>45</sup>
  - cross-curricular approach which enables learners, educators, learning settings and their wider community to build a socially-just, sustainable and equitable society; and as an effective whole-setting approach which weaves together global citizenship, sustainable development and outdoor learning to create coherent, rewarding and transformative learning experiences.
- 53. The Policy Memorandum stated that the Member in Charge's view is that residential outdoor education must have a clear curriculum-relevant educational element and that it should fit in with existing educational frameworks such as Getting it Right for Every Child, the 2023 LfS Action Plan and the Curriculum for Excellence. 46
- 54. A number of responses referred to the 2010 publication Curriculum for Excellence Through Outdoor Learning and how residential outdoor leading should be considered within this wider policy context. Professor Mannion argued that, at a time of climate crisis, the policy context of outdoor learning and its place within learning for sustainability should be acknowledged. He said <sup>47</sup>—
  - The relationships that are built between pupils and teachers, and between pupils and pupils, need to be set inside another context, which is that of our human relationship with nature. I do not see that coming through in the Bill.
- 55. The Policy Memorandum highlighted the Member in Charge's view that residential outdoor education can complement the goals of Scotland's Learning for Sustainability action plan and stated it could be achieved by complementing classroom-based theoretical learning with practical experiences across Scotland's diverse landscapes. <sup>46</sup>
- 56. Freda Fallon, representing the Outward Bound Trust, explained how residential outdoor education courses are designed and the importance of the context of learning and how this links to individual school improvement plans. She explained that courses are not just about what activities are planned, rather what learning outcomes for pupils want to be achieved. 48
- 57. Both Dr Scrutton and Professor Mannion spoke of the vital role teachers play in

outdoor residential education, particularly in terms of pupils' learning experience. 49

- 58. Professor Mannion argued that in supporting residential centres, professional learning should also be supported. He spoke of his 2022 research which showed that nearly 60 per cent of teachers feel 'vaguely confident' about outdoor learning and learning for sustainability and said that large numbers of staff need professional learning support to address learning for sustainability, as it is their obligation to deliver it. <sup>50</sup>
- 59. Andrew Bradshaw, representing the City of Edinburgh Council and the Scottish Advisory Panel for Outdoor Education (SAPOE) said that the City of Edinburgh Council and SAPOE also believe it is important that appropriate residential trips are seen as part of Scotland's approach to outdoor learning and learning for sustainability. He stressed the importance of flexibility and autonomy for local authorities and schools in how these are delivered to allow them to address local context and needs. He said <sup>51</sup>—
  - There is a lot of excitement about the Bill in our sector. That is important. The Bill is very useful. It has brought residentials to the forefront of debate and discussion: where are we, what are the trends, what will happen in the future, what is a good residential, and how do residentials fit into broader learning for sustainability?
- 60. Tara Lillis, representing NASUWT, spoke of the challenge around how the Bill 'fits within a curricular framework and lands within learning for sustainability'. <sup>52</sup> She explained that trade unions are involved in the learning for sustainability action plan which 'provides a coherent overarching structure to embed learning for sustainability in Scottish education.' She said that the outdoor learning aspect is only one part of the wider learning for sustainability which is about sustainable development and global citizenship, as well as outdoor learning, and that work is on-going in this area. <sup>53</sup>
- 61. Sally York, formerly Education Policy Advisor at Scottish Forestry, told the Committee that there was a lack of learning outdoors in Scottish schools as defined in the 2010 Curriculum for Excellence through Outdoor Learning. <sup>54</sup>
- 62. East Renfrewshire Council argued that for residential outdoor education to be effective, 'it must be seamlessly integrated into the broader curriculum, with clear links to learning outcomes and assessment.' 31
- 63. The Minister explained that the Scottish Outdoor Learning Strategic Working Group was set up to drive the Scottish Government's outdoor learning agenda. The Minister said that it had been established to help implement the updated learning for sustainability action plan which was published in 2023. A Scottish Government official confirmed that this was the first strategic working group set up to look a outdoor learning in relation to the LfS action plan. <sup>55</sup>
- 64. Should the Bill proceed to Stage 2, the Committee believes that further thought will be required as to how the provisions of the Bill can best be aligned with the existing curriculum. This includes, but is not limited to, learning outcomes for

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topics such as sustainability and global citizenship.

65. The Committee acknowledges the recent establishment of the Scottish Outdoor Learning Strategic Working Group. The Committee requests further information from the Scottish Government or COSLA on the working group, including membership details, current workstreams and a timetable for actions.

### **Current provision and uptake**

- 66. Currently there are no statistics published nationally on the provision of residential outdoor education so it remains unclear exactly how many pupils experience residential outdoor education each year, and the duration and nature of that experience. The Policy Memorandum did however reference research into trends in the national provision of outdoor education published in 2018. This found <sup>56</sup>
  - Between 1982 and 2018, the number of residential outdoor education centres in Scotland reduced from 123 to 64.
  - In the same period, the number of beds fell from around 6,000 in 1982 to 5,086 in 2018. The research noted that the fall in numbers of beds in that period was lower than the fall in the population of children aged 4-16 in Scotland.
  - Between academic years 2011/12 and 2016/17, the data shows an increase in the percentage of schools recorded as accessing residential outdoor education in 7 out of 9 local authorities where there was data presented.
  - Across 15 local authorities, an average 69% of outdoor education residential stays occur in the summer months (April September).
- 67. The Policy Memorandum stated that many schools are not currently providing residential outdoor education for school pupils, primarily due to resources and argued there was a 'postcode lottery' in respect of its provision. It highlighted research from 2019 by Dr Simon Beames and Dr Natalie Polack for the University of Edinburgh, which stated that <sup>57</sup>—
  - A third of Secondary schools (33 per cent) offer a Residential experience to pupils, whilst only a quarter of Primary schools (24 per cent) and Special schools (25 per cent) offer this type of experience.
- 68. In evidence to the Committee, a Scottish Government official provided the following initial estimates on provision based on preliminary work undertaken by the Scottish Government <sup>58</sup>
  - around 42,000 residential centre visits were undertaken by P5 to P7 pupils in 2022- 23, and we estimate that outdoor residential trips are provided to around 11,700 secondary school pupils.
- 69. Andrew Bradshaw, representing the City of Edinburgh Council and the Scottish Advisory Panel for Outdoor Education (SAPOE) highlighted research undertaken by SAPOE which showed on average, in the primary sector, about 61 per cent of primary schools undertook residential trips and that this was higher for secondary schools. <sup>59</sup>
- 70. The Policy Memorandum highlighted the decline in the number of outdoor residential centres owned and run by local authorities since its peak in the 1980s as a result of local government reorganisation in 1996 which saw the abolition of the larger regional councils that were responsible for the provision of education. It highlighted that the majority of the centres in place now are operated by the private

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sector or charitable/voluntary organisations, with very few local authorities operating their own outdoor education centres. <sup>60</sup>

- 71. Currently, the following local authorities operate their own outdoor residential education centre/s—
  - Aberdeenshire Council
  - City of Edinburgh Council
  - Glasgow City Council
  - North Ayrshire Council
  - South Ayrshire Council
- 72. In the absence of national data, on the 15 November 2024, the Committee wrote the five local authorities who have their own residential outdoor education facilities seeking information on the number of pupils currently attending residential outdoor education trips and the number of staff attending these residentials.
- 73. The Committee received three responses from Aberdeenshire Council, City of Edinburgh Council and Glasgow City Council, with both Aberdeenshire and Glasgow providing a partial response. Glasgow supplied data relating to Blairvadach but stated that other centres are also used as Blairvadach is fully booked. Aberdeenshire reported that 3076 pupils experienced residential outdoor education in 2024 (around 8.5% of the total roll) with 452 staff attending. Edinburgh reported 7943 pupils had experienced residential outdoor education in 2023/2024 (around 14.7% of the total roll) with 1000 staff attending.
- 74. Phil Thompson, representing Ardroy Outdoor Education Centre, confirmed that the exact number of pupils in Scotland attending residential outdoor education trips is unknown. He explained that 13 local authorities use a system called EVOLVEvisits, which is an online excursion management system. He made the point that, in Wales, all principal councils use EVOLVEvisits and argued that this should happen in Scotland. <sup>61</sup>
- 75. Jamie Miller, representing Scottish Outdoor Education Centres (SOEC), made the point that some local authorities are more supportive of providing residential outdoor learning experiences for pupils than others. <sup>62</sup> A point which was echoed by Freda Fallon, representing the Outward Bound Trust, who said <sup>61</sup>—
  - We work with about 28 of the 32 authorities in Scotland, but it is just pockets of schools. In my experience, whether you get the opportunity definitely feels like a bit of a postcode lottery depending on where you come from and whether or not your headteacher is supportive. It is not good enough; the benefits from the experience that we provide should be available to all.
- 76. Professor Loynes spoke of the research by the Council for Learning Outside the Classroom in England into the socioeconomic and geographical factors which affect the number of pupils who can participate in residential outdoor education. He highlighted that the geographical distribution is very unequal and that pupils from urban areas and from lower socioeconomic backgrounds receive none or very few

residential experiences compared with those in other contexts. <sup>36</sup>

- 77. Professor Mannion confirmed that this was also the case in Scotland where pupils from more deprived postcodes in the Scottish index of multiple deprivation receive less outdoor learning overall. <sup>36</sup>
- 78. Andrew Bradshaw, representing the City of Edinburgh Council and SAPOE commented that Edinburgh City Council does collect information on how many pupils attend Benmore and Lagganlia which is between 85 and 90 per cent of pupils. He said about 40 per cent of the pupils who attend Benmore and Lagganlia are subsidised in various forms and that Pupil Equity Funding (PEF) accounts for about 23 per cent, school funding is about 14 per cent and school fundraising around 10 per cent. <sup>63</sup>
- 79. Tara Lillis, representing NASUWT, spoke of the inequality in the current system citing the NASUWT recent cost of living survey which showed that 93 per cent of teacher respondents said that they saw a benefit to school trips more broadly for children and young people but respondents said that there were significant barriers to access to outdoor learning, school trips and residential outdoor education. She said <sup>64</sup>—
  - For example, respondents from an additional support needs setting said that access to a residential outdoor centre was unattainable for them, because the cost was prohibitive. Others said that, even when they had put money in themselves to supplement school budgets, they still had to leave some children and young people behind.
- 80. Child Poverty Action Group (CPAG) in Scotland spoke of the inconsistency of provision across schools. It stated— <sup>65</sup>
  - Many schools are aware of challenging family finances and seek best value alongside lengthy notice periods, instalments and payment plans. They then draw on a mix of central funding, Pupil Equity Funding, fundraising proceeds, bursaries, trusts, provider discounts and more to cover or subsidise costs for families where they can. This diversity can mean that support varies between schools and across the country. It can also mean that, with the best will in the world, schools do not have the funds required to support all of the families who need it.
- 81. Tara Lillis, representing NASUWT, spoke of the concerns raised by members of its equality advisory group, namely that people within their communities were entering into debt to secure their child's access to a residential opportunity. She said it was important to look at the Bill 'through an equality and socioeconomic lens, so that education can indeed be free at source and there is equal provision for all children and young people'. <sup>64</sup>
- 82. The Scottish Government's 2021-22 programme for government stated <sup>66</sup>
  - We will make sure that pupils from lower-income families can take part in school trips, providing support for children to go on curriculum-related trips and activities, and Primary 6/7 residentials, and giving secondary school pupils the right to go on at least one "optional" trip during their time at school.

- 83. When asked about the commitment in the 2021-22 programme for government and the evidence heard by the Committee that many pupils are not having the opportunity to access residential trips due to cost barriers, the Minister said the delivery of school education, including school trips, rests with local authorities and individual schools. The Minister stated that the Scottish Government has invested 'up to a billion pounds in the Scottish attainment challenge' to tackle the poverty-related attainment gap and has invested £520 million pounds in the Pupil Equity Fund (PEF), which is available to schools to help support children and young people from lower income families. The Minister said <sup>67</sup>—
  - I know that schools have utilised that funding to provide children and young people with outdoor experiences, if they felt that that was the best place for that funding. I trust our local authorities and school leaders to decide what is best for their learners.
- 84. The Minister again highlighted the Scottish Outdoor Learning Strategic Working Group, stating that one of the issues that it will be looking at is inclusivity and providing equity for all pupils to access outdoor experiences. <sup>67</sup>
- 85. The Member in Charge highlighted that the Bill is aligned to current Scottish Government policy and is underpinned by inclusion to ensure all pupils have the opportunity to experience residential outdoor education. She said <sup>68</sup>
  - There is a bit of a postcode lottery as regards who is able to go on residential experiences, and we have to try to change that, particularly as the John Muir award, which was so successful, has been paused. The last thing that we want to get into is the situation that we had in the 1970s and 1980s, when local authorities lost their dedicated teachers of outdoor education. I would not like to think that we will end up with that circumstance.

# Adopting a statutory approach to provision of residential outdoor education

- 86. The Policy Memorandum stated that, given the decline in the level of provision of residential outdoor education, the Member in Charge considers that it is necessary to legislate to ensure that it is a requirement that education authorities must offer residential outdoor education at least once in a pupil's school career. <sup>57</sup>
- 87. The Policy Memorandum highlighted the reasons why maintaining the non-statutory status quo in relation to current provision would not address the three core issues underpinning the Bill namely that
  - many young children do not get the same opportunities as their peers for financial reasons,
  - as the provision of residential outdoor education is not mandatory for schools to undertake, it can be a postcode lottery as to whether or not a child is offered it during their school career, and
  - in the absence of legislative provision for these experiences, it is likely that the level of provision will continue to decline, threatening the existence of such

experiences for future generations. <sup>69</sup>

- 88. The Scottish Government expressed concerns in its memorandum on the Bill in relation to legislating for the curriculum stating that it is for local authorities and schools to decide how best to deliver outdoor learning. It said <sup>70</sup>—
  - The further introduction of statutory provisions relating to the curriculum risks setting an unhelpful precedent which contradicts Scotland's existing approach to education and the respective roles and responsibilities, and agency, of education authorities/schools/teachers to shape the curriculum to suit their learners.
- 89. The Minister was asked why legislating in this area would be inappropriate when the Scottish Government has been more directive in other areas. She said that the Government 'tries to give as much autonomy and independence as it can to local authorities and schools'. <sup>71</sup>
- 90. The Member in Charge reiterated her view that a statutory approach is required saying  $^{20}$ 
  - The reason why it has to be statutory is that, although the current system has good principles behind it, dating from 2010, when the Government set out that vision about outdoor learning and linked it with the sustainability aspect, we have to accept that the system of non-statutory provision is not delivering for enough young people. I do not think that we are there yet with regard to allowing all young people to take advantage of the experiences. That is why I believe that the proposal should be put on to a statutory foundation.

### Flexibility and autonomy

- 91. Many local authority responses to the call for views highlighted existing provision in their areas and how decisions around residential outdoor education provision are devolved to the individual schools. East Renfrewshire said that all of its schools already offer a wide range of outdoor education and residential experiences and stated <sup>72</sup>—
  - Our schools are empowered to decide the range of experiences offered and how these are organised, this includes types of residential outdoor trips, stage of those attending, staffing and costs. These are organised in line with our Education Department policies and approaches such as 'Cost of the school day'.
- 92. This was echoed by Inverclyde Council who said schools already offer a wide range of outdoor education and residential experiences and that this is decided at school level 'as part of the rationale for its curriculum and its approach to learning outdoors'. It stated <sup>17</sup>—

- Residential experiences are not always linked to outdoor education and can be linked to other subjects such as history, the arts and geography. Schools currently identify the types of experience offered, how this will be staffed and how it will be funded.
- 93. Matthew Sweeney, representing COSLA, confirmed that there were a range of practices across local authorities in Scotland in relation to the current provision of outdoor residential education with some involving residential stays and others engaging outdoor learning as part of day-to-day teaching. He made the point that the curriculum for excellence allows for local authorities, and schools to be able to structure their curriculums to meet the needs of pupils therefore there is autonomy for schools to make decisions about provision. He stated that COSLA was supporting the learning for sustainability action plan, which was agreed jointly with the Scottish Government and a range of other stakeholders, which includes a wide range of commitments to sustainability, including through outdoor learning. <sup>73</sup>
- 94. Andrew Bradshaw, representing the City of Edinburgh Council and SAPOE spoke of a quality assurance residential framework which is being developed in collaboration with schools, local authorities, providers and Education Scotland and stressed the importance of flexibility and autonomy for schools in relation to residential outdoor education provision. <sup>74</sup>
- 95. The Committee heard concerns that the Bill could displace other forms of outdoor education provision. For example, COSLA stated that the Bill would mean that flexibility on the approach to outdoor residential trips would be removed and may have an opportunity cost where schools are unable to resource another type of residential trip such as those which are related to history, the arts and geography. <sup>75</sup>
- 96. The Minister also raised concerns regarding the narrow focus of the Bill on residential outdoor learning, arguing that the residential experience is only part of a range of learning experiences. The Minister said that making this a legislative requirement 'carries the risk 'of imposing an assumption on the way that practitioners go about determining the best approach to suit their learners' needs' and that it contradicts the existing approach of 'flexibility and autonomy for school leaders and teachers, as envisioned in the curriculum for excellence'. <sup>41</sup>
- 97. When asked if there was any evidence to support the argument that the Bill 'risks undermining other types of outdoor learning' as set out in the Scottish Government's Memorandum on the Bill, <sup>76</sup> the Minister did not elaborate further, with one of her officials stating <sup>77</sup>—
  - I have to say that we do not have any specific evidence, but we could look into it further. We are aware from Education Scotland colleagues that diversity of delivery of outdoor learning is important, and we feel that there is a potential risk that practitioners might feel the need to prioritise this form of outdoor learning over others.
- 98. The Member in Charge acknowledged the importance of flexibility and the need to allow schools and local authorities to adopt different approaches to outdoor learning. On residential outdoor education, she commented <sup>78</sup> —

The purpose of residential outdoor education need not be to provide outdoor activities; it might be to provide outdoor learning as part of a language trip or a history trip. Such educational experiences are just as valuable as any others. That flexibility is absolutely vital.

### Data gathering and tracking

- 99. The Committee considered the issue of the lack of national data on residential outdoor education provision and the ability to track provision, should the Bill be implemented, to ensure the provision is monitored and provided to all pupils, including where pupils change schools.
- 100. A Scottish Government official confirmed that there have been discussions with local authority representatives who use the EVOLVEvisits platform. She suggested that existing systems in place, such as SEEMiS, could be adapted to be used to monitor residential provision and confirmed that the Scottish Outdoor Learning Strategic Working Group has recently been invited to consider 'data and how to improve the collection of data on outdoor learning and education in Scotland as part of its priority project work'. <sup>79</sup>
- 101. The Minister expressed concerns regarding the lack of data in relation outdoor residential provision saying <sup>80</sup>
  - When it comes to the Bill, it is a real concern that we do not know the number of children who cannot access a trip. Equally, we do not necessarily know what would need to be built or renovated and what sort of capital works would be required to ensure access for all.
- 102. The Member in Charge confirmed the lack of data in relation to outdoor residential provision  $^{20}$  unlike the position in Wales. She said  $^{81}$ 
  - We have to be sure that, if the Bill is to progress, we are capturing more and more of that data as we go forward. One thing that the Bill had done is raise awareness of the fact that we do not have enough data on the issue...I would not pretend for a minute that we have 100 per cent accuracy in the data, but I think that we are getting there, and I am convinced that we have enough background evidence to ensure that the Bill is positive.
- 103. The Member in Charge said that her understanding is that the current SEEMiS system can track where pupils change schools therefore a new school would be able to track what activities and curriculum the pupil has undertaken at the previous school <sup>82</sup>

### **Capacity**

104. The Scottish Government's memorandum on the Bill called for greater clarity on the capacity of outdoor residential providers to accommodate the demands of the Bill,

particularly in relation to pupils with additional support needs.  $^{83}$  COSLA also called for more work to be done to understand the capacity across outdoor centres in Scotland. It said  $^{75}$ 

- In particular whether there would be sufficient places available for children and young people to attend residential experiences in the spring/summer, as attending in the winter months will be a notably different experience. If extra capacity is not created, this could require schools and local authorities to make difficult decisions on which children and young people are able to attend at specific times of year.
- 105. Some respondents to the call for views including Argyll and Bute Council also questioned whether there are sufficient places in outdoor education centres to meet the intentions of the Bill, particularly at the times of year when schools may wish to undertake outdoor education. Scouts Scotland stated <sup>84</sup>—
  - Relatively few Scottish outdoor centres would have the capacity to host an entire secondary school year group. Scout Adventures Lochgoilhead is one such centre with around 150 beds but there are only two others we are aware of. The success of the Bill will allow organisations to invest in capacity, however it is important that it does not become a barrier to implementation at any Act's inception.
- 106. Fife Council said there were challenges for schools in ensuring sufficient access for all learners. It stated <sup>85</sup>—
  - While there are many organisations and initiatives that offer outdoor education, the demand often exceeds supply. If taking this Bill forward, there would need to be consideration given to sufficient provisions to be able to deliver the four nights and five days of residential outdoor education for all P6 S4.
- 107. Dr Scrutton spoke of the research which has concluded that bed capacity in existing residential centres could cope with the demand should the Bill be implemented however there is limited capacity to allow for ongoing maintenance of outdoor centres. He also highlighted that some residential centres have been closing due to lack of business, yet others are booked for years in advance. <sup>36</sup>
- 108. Matthew Sweeney, representing COSLA, raised concerns regarding capacity and whether there are sufficient numbers of residential outdoor centre places available all year round to ensure that all children and young people can access outdoor education as set out in the Bill saying <sup>86</sup>—
  - If we do not address some of those capacity points, how will decisions be made about which people get to go when?
- 109. When asked whether residential outdoor centres are financially reliant on school visits, Jamie Miller, Freda Fallon and Phil Thompson all confirmed that this was the case. Phil Thompson said <sup>87</sup>—

- We are completely reliant on school visits. As a third sector organisation, we can tap into some funding from other sources that we would not be able to if we were a local authority, but, if the school tap was switched off tomorrow, we would be out of business in a week.
- 110. When asked about capacity and outdoor centres' ability to cope if the Bill was passed, Nick March, representing AHOEC Scotland, said <sup>88</sup>
  - On bed spaces, when I speak to AHOECS members from the private sector, they simply say, "We will build more beds," so they have no worries about capacity. Obviously, it comes down to the third sector and local authorities, and we would need to approach that in a different way.
- 111. He argued for an implementation plan to be developed and a staged approach to the implementation of the Bill to allow organisations to build capacity, including in relation to qualified staff. <sup>88</sup>
- 112. Following the Committee visit to Broomlee Outdoor Education Centre, Nick March, representing AHOEC Scotland, provided information on the Association of Heads of Outdoor Education Centres occupancy comparison between 2023 and 2024. <sup>89</sup>
- 113. The Committee explored whether increasing the obligation on councils' own outdoor centres to provide space for school residentials could displace the commercial work which they currently undertake. The Committee wanted to understand whether the Bill could result in increased financial pressures for outdoor centres, given that they can charge more for commercial bookings than they typically can for school bookings. The Member in Charge argued that the demand level and bookings are currently sufficient and are increasing year round which opens up more facilities with commercial bookings not always being at the same time of year as school bookings saving <sup>90</sup>—
  - There is greater scope for provision, but I would worry greatly if the commercial side took over from the school side.
- 114. The Committee notes the evidence in relation to the decline in the number of residential outdoor education centres. The Committee also notes the evidence that many schools are not currently providing residential outdoor education for school pupils. The Committee believes that this must be addressed. The Committee recommends the Scottish Government sets out how it plans to address the variation in provision if this Bill were not to pass.
- 115. The Committee acknowledges the need for schools to have autonomy and flexibility when deciding on their residential outdoor education provision.
- 116. The Committee heard evidence that suggested residential outdoor education opportunities were offered less frequently to pupils living in urban and/or lower SIMD areas. The Committee also heard that provision for pupils with ASN was limited as discussed in more detail later in this report.
- 117. The absence of Scotland-wide and/or local data collection and analysis

mechanisms for residential outdoor education means that it is currently not possible to form a clear picture of current provision and uptake of residential outdoor education. The Committee recommends that the Scottish Government must work with COSLA and local authorities on ensuring data is collected in relation to residential outdoor education provision across Scotland, in order to identify and address any inequalities arising from current practice.

- 118. The Committee further recommends that, ahead of any Stage 2 proceedings, the Member in Charge set out how she envisages circumstances such as pupils moving schools, or missing their statutory residential outdoor education entitlement due to illness/bereavement, would be dealt with, should the Bill become law.
- 119. The Committee notes the evidence in relation to capacity and the ability for existing outdoor centres to provide residential opportunities for all pupils across Scotland. The Committee agrees that more work needs to be done in assessing capacity across the whole of Scotland, including to accommodate and meet the needs of pupils with ASN, to provide clarity on this issue. The Committee invites the Scottish Government and the Member in Charge to consider how best this may be done and provides an update to the Committee in advance of any Stage 2 proceedings.

# Pupils with additional support needs

- 120. The Bill provides that the Scottish Ministers must prepare and publish guidance for local authorities and managers of grant-aided schools about their duties to provide residential outdoor education under the Bill. Such guidance must include provision about how local authorities and the managers of grant-aided schools should assess whether residential outdoor education is suitable to a pupil's age, ability, aptitude and any additional support needs (ASN).
- 121. The Policy Memorandum acknowledged that many pupils, particularly those with ASN, will require tailored accommodations such as particular equipment, transportation or staffing assistance to allow them to participate fully in residential outdoor learning. It highlighted that throughout the policy development process consideration has been given as to how this fits with existing legal obligations, including the Equality Act 2010 and with Scottish Government guidance which stated <sup>91</sup>—
  - It is important to ensure that no one is denied opportunities through discrimination, prejudice or exclusion because of factors such as race, gender or disability. Every effort should be made to spot and overcome barriers to participation as early as possible. These barriers will be different for different groups of individuals but could include, for example, communication difficulties, physical disabilities, financial limitations or religious/cultural issues. Planning may require dialogue with individual participants, stakeholders and agencies or the need to seek advice from those specialising in supporting equalities groups to ensure that all learners can access the curriculum.
- 122. The Member in Charge argued that currently every pupil with ASN is not being catered for and, in developing her Bill, it was important to ensure 'that young people with additional needs have exactly the same opportunities as everyone else'. <sup>92</sup>
- 123. Nick March, representing AHOEC Scotland, highlighted the benefits of ensuring residential outdoor education accessible to all pupils with ASN. He quoted the following from a letter he received from a pupil with cerebral palsy who is a full-time wheelchair user and needs support with feeding and an adult with him all the time 93 \_\_
  - Rock climbing was awesome! I got to defy gravity and abseil down a mountain at the speed of light! Kayaking was so cool literally. I sailed round an island with my school friends in a storm! I scored a gold at archery! And we all did drumming together at night, and it was really exciting and fun. I'd never done any of those things before, and Chris and Blanca and Nick helped me. I can't do so many things like that at home because they don't have spaces for kids with wheelchairs to join in at many places. Or there are stairs so I can't go in the building. I think every kid should get the chance to go to camp, have adventures and hang out together. You get to do things that you only see in films and you never think that a kid can do. It made me feel brave.
- 124. Professor Loynes spoke of case studies in Scotland where residential experiences are successfully tailored to people with a range of abilities, including people with complex disabilities. For example, Calderglen High School in East Kilbride offers

outdoor education opportunities to pupils at a local special school. He said that centres exist throughout the UK that use specially trained staff and specialist equipment to offer appropriate levels of adventure and environmental experiences to pupils with additional support needs. <sup>94</sup> He told the Committee of the importance of correct support to provide appropriate outdoor experiences saying <sup>95</sup> —

- One of my most profound professional experiences was floating down a river with a 13- year-old girl, who had no movement or speech, and nobody knew whether she had any cognition. Oh, she had cognition all right; the look in her eyes when she saw what she was about to do told me everything that I needed to know about whether we should or should not do that activity.
- 125. Professor Loynes highlighted that students with neurodiverse backgrounds can often flourish in the outdoors more than they do in classrooms, suggesting it is a much more supportive learning environment. <sup>95</sup>
- 126. Many respondents to the call for views also spoke of the importance of ensuring pupils with ASN can attend residentials. Glasgow City Council said the Bill needs to "take into account children with ASN, who have complex needs and would require significant support, adaptations to centres, specialist equipment and adapted beds, as well as the additional costs associated with both the health and safety requirements and risk assessments required for each visit." <sup>96</sup>
- 127. The Family Fund said that it supported the intention of the Bill to make all pupils entitled to residential outdoor education, which would have multiple potential benefits, however it stated that <sup>97</sup>—
  - Without sufficient and personalised planning and support taking place, many children and young people will be unable to access this entitlement or a personalised/ preferred alternative provision which delivers the desired outcomes for them. This in turn would further exclude and disadvantage pupils with significant additional support needs, potentially leading to stress and concern experienced due to a lack of good planning and support more generally, which families report experiencing in relation to services.
- 128. Nick March, representing AHOEC Scotland, commented on the limitations of some outdoor centres in Scotland saying <sup>93</sup>—
  - There is a ceiling that none of us can pass through at the moment. It comes through, when we look at welfare and accommodation and overnight stays, that there is a certain level that we cannot go beyond. That is throughout Scotland. We do not have the level of specific provision that is required to meet high-end need, and I think that that concept lives outwith the Bill for me.
- 129. This capacity point was also raised by PGL Travel Group who expressed concern that currently there were insufficient facilities to cater for all pupils with complex ASN and said that should the Bill be passed "this would enable businesses to plan with more certainty and be able to adapt or build new facilities to accommodate these guests". <sup>98</sup>
- 130. The Donaldson Trust said that to support neurodivergent pupils, staff and group leaders should receive specific training. It also listed the following adjustments that

may be required to support participation <sup>99</sup> —

- A wide range of both physical and non-physical activities being spread across a stay, designed in conjunction with participants beforehand.
- Clear communication prior to and during the stay, covering responsibilities and opportunities.
- Adaptive equipment, ensuring that young people with physical barriers to access are still able to participate in activities to the greatest possible extent.
- 1:1 support, where this is the arrangement the young person has during their 'regular' day.
- · Breaks and flexible schedules to counter fatigue and/or sensory overloading.
- 131. The Scottish Government's memorandum on the Bill called for further clarity on the capacity of outdoor residential providers to accommodate the demands of the Bill, 'particularly on the readiness of Scottish providers to accommodate ASN learners'. It also highlighted that the Financial Memorandum contains no modelling of additional costs to accommodate all ASN pupils. 100
- 132. Matthew Sweeney, representing COSLA, raised questions around the appropriate type of provision for pupils with the most severe ASN in relation to accommodation and the activities that might take place and said that this needs to be understood more. <sup>101</sup>
- 133. Tara Lillis, representing NASUWT, highlighted that in some local authorities and schools, 50 per cent of pupils have ASN and argued that the Bill does not fully take this into account, particularly in relation to the funding provision. She said <sup>102</sup>
  - I do not think that the Bill—certainly through its financial memorandum—sets out a mechanism through which children with additional support needs would be able to access the proposed outdoor residential provision without a substantial injection of cash, which would need to be more than is proposed. Further, there are potential knock-on consequences, with funding more broadly within education being diverted.
- 134. Andrew Bradshaw, representing the City of Edinburgh Council and SAPOE, agreed that that funding model needs to be looked at. In addition, he highlighted the work being done on inclusion in mainstream schools and argued that the guidance provided for in the Bill must be drafted in such a way as to ensure inclusion for those pupils with ASN which could include training for staff on areas of best practice. He stressed the importance of access to the correct facilities and equipment and suggested the option of specialist hubs for special schools as a way to make best use of these resources across Scotland. <sup>102</sup>
- 135. The Finance and Public Administration (FPA) Committee considered the Financial Memorandum and heard that it underestimates some of the costs associated with the provisions of the Bill including in relation to costs associated with supporting pupils with ASN. The FPA Committee drew the Committee's attention to the COSLA's submission to their call for views on the Financial Memorandum which highlighted the impact that inflation, demand and the location of schools and

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centres will have on the overall transportation costs, along with the additional costs that would arise in order to allow children and young people with complex needs to benefit from residential outdoor education. <sup>103</sup>

- 136. The Minister argued that the Financial Memorandum did not include additional costs associated with provision for learners with additional support needs and special schools. 104
- 137. The Member in Charge explained that the Financial Memorandum contains costs related to transportation, specialist equipment and specialist provision for staffing and acknowledged that in some cases, additional support needs require a bigger ratio of staff to individuals. <sup>92</sup>
- 138. The Committee recognises that residential outdoor education provision varies across Scotland for pupils with ASN. As a result, it is likely that many children and young people with ASN are currently missing out on any outdoor education opportunities offered to their peers. The Committee believes that this inequity is unfair and that the Scottish Government should explore what more can be done to address this, including to consider how this Bill could ensure all children and young people have equal access to outdoor education.
- 139. The Committee notes the concerns raised regarding the additional costs for providing residential outdoor education for pupils with ASN and that these are not fully costed in the Financial Memorandum. The Committee believes that the cost burden for this support should not fall disproportionately on families with pupils with ASN.
- 140. The Committee believes it is important all pupils, including pupils with ASN, have the opportunity to experience residential outdoor learning opportunities. The Committee also shares the concerns regarding the current capacity of outdoor centres to offer fully inclusive accommodation and activities for all pupils with ASN. The Committee recommends that the Scottish Government undertake work to establish whether the capacity and facilities of outdoor centres available to Scottish schools matches the needs of all pupils, and how any gaps can be addressed.

## **Staffing**

- 141. Currently teaching staff support residential outdoor education visits on a voluntary basis and the Bill assumes that staff will continue to support these visits on a voluntary basis therefore the Financial Memorandum does not provide estimates for additional costs in relation to staffing of these visits.
- 142. A number of teachers who responded to the call for views had supported residential outdoor education visits and were very positive about the experiences offered to pupils. Similar views were expressed during the informal session the Committee held with teachers.
- 143. However, concerns were also raised regarding the current arrangement which relies heavily on the voluntary participation of teachers.

#### Teachers' terms and conditions

- 144. One key concern was the contractual position of teachers should the Bill be implemented. Many noted that currently teachers provide support for residential outdoor education trips on a voluntary basis. Placing a statutory duty on local authorities to provide residential outdoor education, which the Bill does, would likely impact on teachers' terms and conditions.
- 145. The EIS highlighted the key role teachers play in the organisation and planning of activities outwith school, including residential trips, noting that they are 'part of school life in every school in Scotland, and are enthusiastically supported by the profession'. However, the EIS commented that whilst many teachers participate enthusiastically in excursions, including residential trips, they do so on a voluntary basis and 'usually do so without any financial remuneration or time off in lieu'. <sup>105</sup>
- 146. A headteacher told the Committee that it is <sup>106</sup>
  - increasingly difficult to enlist the huge amount of goodwill and sacrifice needed from staff to accompany these visits [due to] family commitments or huge responsibilities being placed on them to manage increasingly challenging behaviour or pupil support needs.
- 147. During the informal session the Committee held with teachers, the Committee heard that residential trips tended to be staffed by younger staff members with no parental or caring responsibilities or temporary staff who felt they would be more likely to gain a permanent contract, as well as those looking for career advancement. This had raised equality issues. One teacher said the majority of primary school teachers are female, many with primary caring/parental responsibilities, and expressed concern regarding making it a requirement to attend a week-long residential trip. <sup>107</sup>
- 148. Comhairle nan Eilean Siar said that it was concerned that making residential outdoor education statutory will remove the "goodwill voluntary element" from staff. It also said that trips are "are fully dependent on additional volunteers, usually parents or adults from other sectors" and was concerned that "the willingness of volunteers to undertake such duties will be lost, incurring further expense and

logistical challenge on trip organisers." 108

- 149. The EIS said the Bill would transform the contractual position of teachers and that changes in teachers' terms and conditions would need to be considered at the Scottish Negotiating Committee for Teachers (SNCT). It said that a lack of reference to this in the Bill was 'deeply concerning' and stated <sup>105</sup>—
  - Any effort to impose such changes through legislation rather than via the established negotiating forum would certainly be damaging to those industrial relations and the principles of fair work. Moreover, it is difficult to see how such a change could be achieved without appropriate remuneration.
- 150. This point was echoed by teachers during the informal session and by many respondents to the call for views, including local authorities and ADES, who all spoke of the need to revise teachers' terms and conditions through SNCT. ADES said <sup>109</sup>—
  - Obligatory overnights could be written into terms and conditions for teachers but this change to contracts would be required. This may become especially challenging where a teacher or member of support staff has family or caring responsibilities. Advice from HR specialist lawyers should be sought to identify the implications for terms and conditions as well as unions being consulted.
- 151. Tara Lillis, representing NASUWT, also spoke of the requirement to involve the SNCT if teachers were to be required to take part in residentials saying <sup>110</sup>
  - For any Government to deviate from the national bargaining structure would be a very serious step indeed, and I would not anticipate that.
- 152. She said that 'having an additional contractual requirement for overnight stays is unlikely to garner support from the trade unions' and that the assumption has been made in the Bill that teachers would continue to provide support for free, which she did not believe to be a tenable position. <sup>74</sup>
- 153. The FPA Committee, in their scrutiny of the Bill's Financial Memorandum, also considered the issue of the need to renegotiate teachers' terms and conditions should the Bill be passed. In the letter to the Committee from the FPA Committee on its findings, it said that the Member in Charge responded to these concerns stating that the evidence she had heard from individual teachers, people who work in the sector and some local authorities "shows that a lot of teachers are very keen to try to participate in this kind of thing without it having major implications". The FPA said that, despite this, it remained concerned by the potential indirect costs that could arise (and not currently costed in the Financial Memorandum), should teachers' contracts be renegotiated as a consequence of requirements in the Bill.
- 154. The Minister was asked the Scottish Government's view as to whether the renegotiation of teachers' terms and conditions through the SNCT was required should the Bill be passed. The Minister replied <sup>111</sup>—
  - I think that it is considered a risk; I do not know that it is necessarily my place to say whether I agree or disagree with that view.

- 155. In supplementary evidence to the Committee, the Minister stated that if the Bill was to be passed then it would be for the SNCT to decide 'on a collective basis whether or not any changes would be required to teachers' terms and conditions'. It stated 112 \_\_
  - It would, therefore, not be appropriate at this stage for the Scottish Government to take a position on this consideration.
- 156. The Member in Charge acknowledged that all aspects of teacher contracts involve tripartite negotiation and said 'that matter is not for me but, rightly, for the Government, local authorities and unions. That is the basis for those negotiations'.
- 157. The Member in Charge argued, however, that the Bill was not about forcing teachers to go on residential outdoor education trips saying <sup>113</sup>—
  - Schools use the staff who buy into it. By no means are all school staff in Scotland going on residential outdoor education trips. It does not work like that. I would not want people to be forced to go, because if you start forcing people, you are in trouble.
- 158. The Committee recognises that teachers currently facilitate residential outdoor education visits on a voluntary basis.
- 159. Many teachers who spoke to the Committee spoke highly of the value of this experience, both to pupils and to them personally. However, representatives of education trade unions have cautioned that placing such trips on a statutory footing, as is proposed by this Bill, would change the nature of these arrangements. Some teachers made similar representations. This would potentially require teachers to renegotiate their terms and conditions via the tripartite Scottish Negotiating Committee for Teachers (SNCT). The Committee recognises that Trade Unions and other also noted that the situation of teacher workload and the environment in classrooms means it would be difficult to require teachers to do more unpaid work.
- 160. The Committee notes the concerns raised regarding teachers' terms and conditions and that, should the Bill be passed, this would potentially need to be considered by the Scottish Negotiating Committee for Teachers (SNCT). The Committee recommends that the Scottish Government provides its view as to whether this would be required and an estimate of any resulting costs.

# Costs associated with the Bill

- 161. The Bill creates a duty on the Scottish Government to "pay education authorities and managers of grant-aided schools "such amounts as are sufficient to enable them to carry out their duties under section 6A of this Act" (the duty being the provision of one course of residential outdoor education to each pupil). 114
- 162. As provided in a letter from the Member in Charge of 2 December to the Finance and Public Administration Committee, the total costs of the Bill's provisions are estimated to range from—
  - £20,908,273 to £34,696,611, with a median estimate of £27,802,443 in year 1,
  - £21,926,740 to £36,771,757 (with a median estimate of £29,349,248) in year 2 and
  - £21,735,361 to £36,073,584 (with a median estimate of £28,901,050) in year 3 and beyond.

In her letter, the Member in Charge confirmed that "the likely annual cost of the provisions of the Bill will be at the upper end of those projections". <sup>115</sup>

- 163. The Minister said the Financial Memorandum significantly underestimates the potential overall cost of implementing the Bill, stating <sup>104</sup>—
  - On the basis of our initial analysis, we estimate that the potential cost range for year 1 roll-out in 2025-26 is between £24.3 million and £40.6 million. The difference between our higher estimate and what is presented in the financial memorandum is that we have attempted to model staff costs in secondary schools and inflation.
- 164. The Scottish Government's memorandum on the Bill said its estimate of the costs is caveated as it is 'based on the Financial Memorandum methodology for centre and transport costs'. <sup>116</sup>
- 165. The Finance and Public Administration Committee scrutinised the Financial Memorandum accompanying the Bill and wrote to the Committee on its findings, which is referred to in this report. Costings associated with the Bill were also considered by this Committee during evidence.

### **Financial Resolution**

- As set out in Guidance on Public Bills, where a Bill contains particular provisions affecting payments into or out of the Scottish Consolidated Fund, no proceedings can be taken on the Bill after Stage 1 unless the Parliament has, by resolution, agreed to the relevant provisions. That resolution is known as a "financial resolution". Financial resolutions are governed by Rule 9.12 of Standing Orders.
- 167. The financial resolution procedure is a means of giving extra control to the Scottish Government over Bills with certain financial implications. Only a member of the Scottish Government or a junior Scottish Minister can lodge a motion for a financial

resolution (Rule 9.12.7), and so the Scottish Government has a veto on whether any Bill that requires such a resolution makes progress. Unless a motion is lodged within six months of the completion of Stage 1, and the Parliament agrees to it, a Bill that requires a financial resolution falls.

- 168. The Presiding Officer has decided under Rule 9.12 of Standing Orders that a financial resolution is required for this Bill. To date, the Scottish Government has not laid a financial resolution for the Bill.
- 169. During evidence, the Minister would not confirm whether the Scottish Government intends to lodge a financial resolution stating <sup>118</sup>—
  - The Cabinet Secretary for Finance and Local Government and I look forward to seeing the outcome of that scrutiny and the associated financial memorandum, which will inform our considerations in that regard.
- 170. The Member in Charge acknowledged the need for a financial resolution to be lodged and that it is responsibility of the Scottish Government to lodge it. She said 119
  - I wrote to the Government last month to request that it lodge a financial resolution. The minister has said on, I think, three different occasions that the response is neutral. If the response is neutral, I would expect it to lodge a financial memorandum, but that is a matter for the Scottish Government.

# Should this be a funding priority?

- 171. Questions were raised around making the provision for residential outdoor education trips a priority for additional funding given the number of funding pressures currently faced by Scotland's schools.
- 172. Ardroy Outdoor Education Centre argued that spending on residential outdoor education is a good example of preventative spend and has the potential to save money in the long run. <sup>120</sup> Similarly, Scottish Adventure Activities Forum said <sup>121</sup>—
  - We see this funding as an investment in the young people of Scotland it will help to build a resilient and innovative population with a greater awareness of how to protect our environment and look after their own wellbeing.
- 173. When asked if funding for residential trips should be a priority, Andrew Bradshaw, representing the City of Edinburgh Council and SAPOE, said that the City of Edinburgh Council's views the provision of residential outdoor education as important and fits in with its educational plans around health and wellbeing. He said 122 \_\_
  - The fact that it is valued means that it is a high priority for us. That is the point. Parents, staff and learners all value it and can see the impact that it has. Because of that, it has a higher priority for us.
- 174. Freda Fallon, representing the Outward Bound Trust, argued that in making it an entitlement for every pupil to receive residential outdoor education, this would align

- with with many Scottish Government priorities relating to the Promise, the transition to net zero and investment in farming, the blue economy and health. <sup>123</sup>
- 175. The Association of Headteachers and Deputes in Scotland (AHDS) said that while it considers "the opportunity to attend such course is of huge benefit to a great many pupils" it does not support the Bill. It said <sup>124</sup>—
  - In a time of significant financial constraint, when schools are losing staff and school leadership time, there are priorities which are far higher up the list than this proposal. Currently, if £34m became available to school education, AHDS would argue for every penny to be spent on better supporting pupils with additional support needs.
- 176. Matthew Sweeney commented that COSLA would not necessarily prioritise the provision of residential outdoor education as the one activity which would increase attainment and provide the best outcomes for pupils. He said <sup>122</sup>—
  - We need to have a balance, which is why we need to give local authorities the space to make decisions about declining budgets. They know their communities best and are able to make decisions based on those local needs.
- 177. Tara Lillis commented that NASUWT members would say that the provision of trips and learning outside the classroom environment was a priority; however it was not clear whether that would include the provision of residential opportunities. <sup>125</sup>
- 178. Tara Lillis, from NASUWT, also spoke of the unintended consequences of the Bill, and its focus on residential outdoor learning, potentially redirecting funding from basic outdoor learning provision, arguing that although learning for sustainability and outdoor learning 'should be a thread that weaves its way throughout the curriculum, there are nevertheless some basics that need to be in place to have a successful education and learning environment'. <sup>102</sup>
- 179. The Minister said that, for the Scottish Government, outdoor learning is a priority given the documented benefits; however she said 'the scope of the Bill covers that one week of outdoor residential experience and that is not necessarily the priority'.

# **Parental contribution**

180. The Policy Memorandum commented that the cost of sending pupils for a week's residential outdoor education can vary depending on time of year and on the nature of the visit. It set out the following prices from a number of providers <sup>127</sup> —

Table 1

Venue	Price per pupil (from)
Abernethy Trust	£485
Lochranza Centre	£352
Ardentinny Centre	£200
Scout Adventures	£431
Outward Bound Trust	£575

- 181. Funding mechanisms for these trips vary from school to school sometimes involving the third sector through grants and sometimes involving central funding from education authorities. The Policy Memorandum highlighted that in some limited circumstances, provision may come direct to schools through targeted funding such as Pupil Equity Funding (PEF). It stated where central funding was not available, many schools arrange fundraisers to help to contribute towards the cost. On parental contribution, the Policy Memorandum stated that, to a large and increasing extent, funding is provided by parents or carers contributing towards fees and charges which can regularly involve parents, carers and guardians paying in full for their child's residential outdoor education. It stated 127—
  - The Member is concerned that these costs falling on parents and carers prevents parents or carers in lower income brackets, including increasing numbers of people experiencing poverty, from being able to send their child on a course.
- 182. The Policy Memorandum pointed out that the Member in Charge considers that one course of residential outdoor education should be available to all school pupils, regardless of the ability of parents or carers to contribute. It stated <sup>128</sup>—
  - The Member considers that any system created ought to be based on substantial funding from the Scottish Government, but accepts that flexibility could potentially be retained to use different funding streams such as school fundraising activities and also to enable parents or carers, who can afford to, to make a part contribution towards the costs.
- 183. The Financial Memorandum stated that the Bill as introduced does not provide for any element of parental contribution towards the cost of residential outdoor education provision. It also highlighted that the Member in Charge is sympathetic to the principle of parents who can afford to pay being able to contribute towards their child's residential outdoor education; however it stated that <sup>129</sup>—
  - ...she is concerned that, unless there is a requirement for the Scottish Ministers to fund residential outdoor education, then there is a risk that the families of children who are experiencing poverty might be required to contribute to ensure their children receive one course of residential outdoor education.
- 184. There were differing views in responses to the call for views as to the whether parental contribution should support residential outdoor education. Comunn na Gàidhlig / Spòrs Gàidhlig said that the large majority of funding should come from central sources but "there is nothing wrong in principle with seeking parental contributions, but this has to be very sensitively done, in order not to encourage exclusion because of socio-economic circumstances, multiple children etc". <sup>130</sup>
- 185. One individual responding to the call for views suggested that funding should be provided on the basis of free school meal eligibility, another teacher/parent said "we would be more than happy to contribute some/all of the cost of a school trip/ residential experience and would not feel hard done-by if other families were fully funded". 131
- 186. There was also support for the Scottish Government fully funding outdoor residential education as set out in the Bill, often on the grounds of equitable access.

For example, CPAG Scotland said that school trips can be valuable for young people on lower incomes, but "when parents are required to pay all or some of the cost of a trip, it is children and young people on lower incomes who are most likely to miss out on these opportunities". <sup>34</sup>

- 187. Matthew Sweeney, representing COSLA, commented on the issue of means testing rather than blanket funding provision by the Scottish Government as set out in the Bill and said <sup>132</sup>
  - I go back to the point that means testing is used for things like education maintenance allowance and the clothing grant. Elements of means testing already exist, so that would not be a totally foreign concept.
- 188. The Committee was told there is often additional transport and clothing costs which can be prohibitive for some families and therefore they are not able to send their children on residential outdoor education trips. Many submissions expressed concern regarding these additional costs; however representatives from outdoor education centres refuted the additional clothing costs. Freda Fallon, representing the Outward Bound Trust, highlighted that, as an educational charity, they provide for the needs of all young people. She said <sup>133</sup>—
  - When they arrive, they get £2,000-worth of kit in a kit cage, including boots, waterproofs, camping kit and everything else that they will need. If they are going to jump in the loch, we will give them a second old pair of trainers. They need to bring nothing apart from the clothes that they stand up in; we support them with the rest.
- 189. Nick March, representing AHOEC Scotland, also confirmed this was the case saying  $^{133}$ 
  - Poverty proofing is now our ethic in high-quality outdoor learning centres. We know from direct feedback that kit lists cause parents anxiety, so, at the top of the kit list that I provide, it says, "Do not go and buy anything from an outdoors shop. Send them in their football socks and stuff, and we will supply waterproofs and boots."
- 190. Nick March, representing AHOEC Scotland, did point out however that, at a recent meeting of the high-quality outdoor framework, it was shown that everyone with a high-quality ambition provided the kit and poverty proofed, but it is not universal. He said <sup>134</sup>
  - A very important ingredient of the Bill will be a quality mark and a quality framework to establish that we are getting value for what we do. As part of that, it is essential that the young person is poverty proofed and that the equipment is supplied.
- 191. When asked if the Scottish Government could provide additional funding to schools to help those parents who cannot afford to pay while maintaining the current practice funding residentials through a mix of school fundraising and parental contributions, the Minister said <sup>135</sup>—

- The Government could certainly consider that, if it was a recommendation from the committee.
- 192. The same question was put to the Member in Charge who replied there was merit in considering this and that she would be happy to engage with the Scottish Government on this. <sup>136</sup> She went on to say <sup>137</sup>—
  - I think that there is some scope to discuss that...I might consider lodging amendments on that if I felt that the committee might like us to pursue it. Again, it comes back to the point that what is happening just now is a patchwork, and there is a bit of a mix with regard to how such activity is funded in some schools. I certainly think that there is scope for flexibility in how it is funded overall, should the Bill pass.

# Capital costs for outdoor centres

- 193. The Committee heard of concerns regarding capital funding for outdoor education centres. The Association of Heads of Outdoor Centres highlighted that the current market prices for school residentials does not include contributions to capital costs for centres. It stated <sup>138</sup>—
  - Local Authority Centres rely on accessing Capital funding in ever increasing challenging circumstances. Many Third Sector Centres rely on separate charitable functions, donations and activities to address all their capital requirements. The absence of these capital income streams causes the biggest threat to the closure of Scotland's Residential Centres. The Bill will potentially need to consider Capital funding separately to the pupil allocation that will cover revenue costs.
- 194. Nick March, representing AHOEC Scotland, spoke of the capital cost pressures on outdoor centres as a result of keeping the cost for residentials affordable for pupils. He said <sup>139</sup>—
  - The decline over time is firmly rooted in the issue of whether they can look after and support the building while keeping the cost affordable to the young person....A sustained funding model would take away the financial challenge and make it equitable and enabling for every child in Scotland.
- 195. Jamie Miller, representing SOEC, explained that some of their residential outdoor education buildings were built in 1939 and were designed to be used for 25 years saying 'but here we are still eking a living out of them 85 years later.' He commented that specific funding streams allows them to do refurbishments on a piece-by-piece basis however some buildings are in better condition than others.
  133 Jamie Miller, Freda Fallon and Nick March all highlighted fundraising activities which are curently used to generate capital funding. 140
- 196. On capital costs, the Minister said she has had discussions with the Member in Charge regarding the potential for non-legislative options to support residential outdoor education provision, such as securing private investment to aid with

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reinvestment and capital building works. 141

197. The Minister acknowledged that challenges in relation to the standard of the existing infrastructure and that maintenance and retrofit would need to be addressed if the Bill was to be passed. She said that, if legislation was not an option, the Scottish Government could explore how targeted capital funding could be used to support improvements to and the maintenance of the existing capacity.

# Possible alternative funding options

- 198. The Financial Memorandum stated that the Member in Charge acknowledges that the mechanism that is used to allocate funding required for this Bill is a matter for the Scottish Government but said she has previously raised with the Scottish Ministers the possible use of public trust funds for providing residential outdoor education <sup>143</sup>
- 199. The Member in Charge wrote to the Committee on 28 November 2024 providing further details of alternative funding models. The letter referred to her evidence session with the FPA Committee on the Financial Memorandum where she said there was interest in exploring alternative funding models. The letter gave examples of such models namely: Rethink Ireland, Inspiring Scotland and The Ernest Cook Trust 144
- 200. The letter from the FPA Committee on its conclusions on the Financial Memorandum also referred to these three models and stated  $^{103}$ 
  - The Committee believes there is merit in exploring the feasibility of alternative funding models, including the use of a trust similar to Rethink Ireland, and invites you to pursue this matter further, including seeking the Scottish Government's view in relation to how such a trust would operate.
- 201. It also noted that the Financial Memorandum does not set out any costs or savings for parents. It said that anecdotal evidence suggests the Bill may result in savings for those parents who currently contribute to the cost of outdoor residential education stating <sup>103</sup>—
  - In light of the requirement that the Scottish Ministers fund residential outdoor education, with no parental contribution towards this cost, it is reasonable to conclude that the Bill will lead to savings for those parents.
- 202. Jamie Miller, representing SOEC, spoke of how other of investment could be used to support the provision of residential outdoor education saying <sup>145</sup>—
  - If we were working with more young people, I would suggest that some of the trust funds would be more available to give money for these projects. The projects would have to meet the specific needs of the young people and match up with the wants and the needs of the particular trust fund.
- 203. Nick March, representing AHOEC Scotland, also called for wider funding to be

#### considered saying <sup>145</sup> —

- I believe that the benefit and the value of this experience to a young person has knock-on effects throughout their lifetime on the choices that they make and the directions that they go in. I hope that the engagement with funders and the private sector could help to unlock some of the other barriers of capital investment.
- 204. The Minister, however, argued that the public trust funding model was not the best option for funding a statutory provision. She said <sup>146</sup>
  - I was keen to learn more about the public trust model but, with regard to this specific Bill, I do not believe that it is suitable to include that model in a statutory duty. With a statutory duty, funding has to be guaranteed year on year via the budget process. With a public trust model, there could be years when private investment was not forthcoming, which would mean that the Government would be responsible for paying a higher share, however the proportions were originally worked out. Public trust funding is not reliable.
- 205. In supplementary evidence to the Committee, the Minister reiterated the view that public trust funding models to support the delivery of statutory duties are not sustainable or viable as an approach. <sup>112</sup>
- 206. The Member in Charge maintained her view that there was scope to look at different funding models, and said: 'Should the Bill pass stage 1, the issue will be instrumental at stage 2 in ensuring that the Bill works'. 147
- 207. She argued that the public trust model was sustainable and that it had been proven to work in Ireland 'where the approach is about not only the next few years but the future, and that is embedded in the whole system'. 148
- 208. Given that the Bill cannot proceed to Stage 2 unless a financial resolution is lodged, the Committee urges the Scottish Government, should the Bill pass at Stage 1, to confirm whether it intends to lodge a financial resolution.
- 209. The Committee believes that evidence has shown that national funding of residential outdoor education is a good example of preventative spend where the benefits are well documented.
- 210. The Committee considers that parental contributions and fundraising are key sources of income for schools providing residential outdoor education currently. The Committee also recognises that costs are still a barrier for many families. The Committee recommends that the Scottish Government liaises with the Member in Charge to consider whether the aim of universal provision of residential outdoor education can retain a place for parental contributions and local fundraising.
- 211. The Committee also understands that other funding options have been suggested by the Member in Charge, which would supplement the central government funding which will be required to implement the Bill. This includes a public trust model.

- 212. The Committee agrees with the Finance and Public Administration Committee, and with the Member in Charge, that there is merit in exploring such alternative funding models and recommends that the Scottish Government continues to liaise with the Member in Charge to explore these options in a meaningful way.
- 213. The Committee also notes the conclusion of the Finance and Public Administration Committee that the Bill would result in savings for those parents who currently contribute to the cost of outdoor residential education and these savings are not estimated in the Financial Memorandum.
- 214. The Committee welcomes Scottish Government's commitment to explore targeted capital funding for residential outdoor education centres. The Committee would welcome an update from the Scottish Government in relation to this work, including costs associated with access requirements.

# Length of residential stay

- 215. The Bill requires that all pupils in state and grant-aided schools have the chance to experience at least four nights and five days of residential outdoor education during their school career. The Policy Memorandum highlighted that the Member in Charge's preference that the four nights and five days are taken as one continuous block over a school week; however the Member in Charged acknowledged that this may not always be possible. 149
- 216. There were mixed views on the ideal length of residential stay. Many residential outdoor education providers argued for 5 day residential visits including Ardroy Outdoor Education Centre who said <sup>150</sup>—
  - We see the evidence of the power of a five day residential on a (unsurprisingly!) weekly basis. Pupils need time to settle into their new environment, build up a trust and a relationship with their instructor ... and to allow the learning cycle process to take place.
- 217. Phil Thompson, representing Ardroy Outdoor Education Centre, argued that you can condense more learning into a five day residential than you can when outdoor learning is done in a piecemeal manner. <sup>88</sup>
- 218. The Association of Heads of Outdoor Education Centres (AHOEC) Scotland agreed and said that the length of stay has a direct influence over the content, depth of experience and that the impact of the stay increases significantly with each additional night. <sup>151</sup>
- 219. Dr Scrutton also spoke of the research undertaken on the process of learning during outdoor residential experiences which showed that academic outcomes are as a result of improved interaction between pupils and staff and between pupils themselves, which takes about a week. He said <sup>35</sup>—
  - A week happens to be a useful length of time anyway, from the point of view of school management and so on, and it seems to bring that out, whereas I am not entirely sure that one or two days would enable the completion of that particular process.
- 220. Professor Chris Loynes highlighted the findings of the Learning Away Initiative. He said that for primary school pupils residentials of 1 to 2 nights were most effective and that "more consecutive nights were no more impactful and could be disruptive for pupils and teachers". <sup>152</sup>
- 221. The Institute for Outdoor Learning (IOL) supported residentials being delivered on consecutive days and stated that longer stays accrue more benefits. The Institute also acknowledged, though, that the length of stay should be at the discretion of local authorities and schools. <sup>153</sup>
- 222. Nick March, representing AHOEC Scotland, was strongly in favour of the presumption of 5 day residentials, however, acknowledged that would not work for all pupils. He spoke of a 'day 3 phenomenon' where , pupils become emotional

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followed by a re-evaluation period. He said <sup>88</sup> —

- We get so much feedback from children that it was on these days, especially on the Thursday, when they felt that they managed to re-evaluate things. ....I caveat that by saying that we have so many young people with additional support needs in Scotland—for example, someone might have anxiety or be neurodivergent—and five days is too much for a lot of them. We all recognise that.
- 223. Jamie Miller, representing SOEC, and Freda Fallon, representing Outward Bound Trust, were also in favour of a minimum stay of 5 days; however, both too acknowledged that this was not appropriate for everyone and Freda Fallon, stressed the need for flexibility. 154
- 224. The Committee notes the mix of views it heard in relation to the ideal length of residential stay to in order to achieve maximum benefits.
- 225. The Committee heard that pupils generally benefited from longer stays, as this allowed for relationships of trust to be built. However, the Committee also recognises the need for flexibility, to allow local authorities and schools to decide the ideal length of residential stay for the purposes of each visit and to best meet the needs of the individual pupils involved.
- 226. With this in mind, the Committee welcomes the Bill's approach towards this, i.e. that the required the four nights and five days of residential outdoor education do not have to be taken as one continuous block to allow for this flexibility.

# Stage at which pupils should be entitled to residential outdoor learning

- 227. The Policy Memorandum stated that Member in Charge believes that one course of residential outdoor education should be provided between P6 and S4. However, the Bill does not prescribe exactly when this should take place. <sup>57</sup>
- 228. The Policy Memorandum stated that the initial policy intention was for the provision to be offered to pupils aged between 12 to 16; however this was broadened, following the public consultation on the draft proposal, to include primary schoolchildren in years P6 and P7. It highlighted that the Bill does not explicitly specify the school years in which the residential outdoor education should take place, rather it affords sufficient flexibility to allow local authorities and school leaders to decide when pupils and classes go on residential outdoor education. It stated that, although the Member in Charge's view was that it would be most appropriate for this to take place between P6 and S4, it was for local authorities and school leaders to decide the most appropriate years which residential outdoor education should take place. As such, this will be specified in guidance rather than specifically stated on the face of the Bill. <sup>155</sup>
- 229. In its call for views, the Committee asked whether the stage at which pupils should be entitled to residential outdoor education should be set out on the face of the Bill, or whether it should sit in guidance. There were mixed views on this.
- 230. A common suggestion was that residential outdoor education is best placed at the end of primary to better support the transition to secondary school, where pupils are expected to have greater autonomy and responsibility. Brunstane Primary School (Edinburgh) said that its P7s often consider their outdoor education residential experience to be the highlight of their year. It argued that the Bill should specify that residentials take place in P7. <sup>156</sup>
- 231. There were however many responses arguing for more flexibility. Dr Scrutton said it would be helpful and would allow schools to be creative in meeting pupils' opportunities and needs but highlighted that P6 and upwards would be an ideal time because of the transition from primary to secondary is crucial and a good time to offer residential outdoor learning. <sup>157</sup>
- 232. Midlothian Council said, "each school has a unique context and Midlothian Council believe the school is best placed to decide on the year group that would benefit most". 158
- 233. Matthew Sweeney, representing COSLA, highlighted some practical issues around the age range spanning primary and secondary schools and, should the Bill pass, how to track which children and young people have had their residential outdoor learning entitlement, particularly in cases where pupils move schools. <sup>52</sup> SAPOE also said there may be issues when pupils move between local authorities and/or schools; it said, "there is no simple solution to this and essentially local authorities must seek to mitigate these issues locally". <sup>159</sup>

- 234. The Committee agrees with the need for flexibility to allow local authorities and schools to respond to local needs, including the stage at which pupils should be entitled to residential outdoor learning. This should be set out in the guidance required under section 1 of the Bill.
- 235. The Committee also notes that having a range of approaches may present challenges to local authorities in determining whether they have met the duties under the Bill when a pupil moves schools. The Committee recommends that the Scottish Government considers how local authorities would be able to overcome this issue.

# Quality frameworks and standards inspections

- 236. Section 1 of the Bill requires the Scottish Ministers to prepare and publish guidance to education authorities and the managers of grant-aided schools about their duties in respect of the provision of residential outdoor education. The Bill provides that such guidance must include information about the standard to which residential outdoor education must be provided.
- 237. Currently anyone who provides, in return for payment, adventure activities to young people under 18 is required by law to hold a licence. The licensing scheme is administered by the Health and Safety Executive in its capacity as the Adventure Activities Licensing Authority.
- 238. The Policy Memorandum set out the Member in Charge's view that a quality framework should be established to ensure that the quality of the education provision of outdoor centres used by schools is of a high standard. It stated that the development and operation to the standard provided for in the guidance under the Bill should be a matter for Education Scotland in partnership with others, such as local authorities and representatives of outdoor centres. <sup>160</sup>
- 239. The Policy Memorandum stated that, although there is a significant amount of guidance for schools on outdoor residential education, there is currently no guidance framework which schools are specifically assessed on ensuring the provision of residential outdoor education. It argues that Education Scotland and other relevant bodies 'must consider how the new guidance provided for under the Bill, and the standard it sets, fits alongside and reflects existing guidance and inspection frameworks in respect of outdoor learning'. <sup>161</sup>
- 240. The Policy Memorandum highlighted the existing "Gold Standard Accreditation" quality framework for outdoor centres produced by AHOEC. Outdoor centres pay a fee to become involved in the scheme and maintain their accreditation via an AHOEC inspection process taking place every two years. It stated 161—
  - Should the provisions of the Bill be commenced, the Member would expect that the Scottish Ministers, Education Scotland, AHOEC (and/or other bodies representing outdoor education centres), education authorities and representatives of school leaders, teaching unions and parents would work together to consider how quality frameworks for outdoor education centres can be further developed so as to sit alongside the statutory guidance.
- 241. A number of responses to the call for views argued that the Bill should be accompanied by a quality framework for residential outdoor education. One individual said <sup>162</sup>—

- How we eventually evaluate the quality of experience, in my opinion, is critical to the whole proceedings. Funding poor, or low quality, experiences will not look good if millions are spent and little is returned (assessing residential experience outcomes is challenging). Creating and sustaining quality experiences is something that will require care and attention, to prevent organisations taking inappropriate advantage of the funding, and soft or low quality delivery.
- 242. The Institute for Outdoor Learning also called for an educational quality standard to be agreed and implemented. It said <sup>163</sup>
  - This standard should look to include how the relationship between the Centre and the school is formed, nurtured and developed over time. It should ensure that the Centre individualises its program to meet the educational needs of the school and its pupils in line with local and national curricular outcomes. It should look to ensure that the Centre makes the best use of its local environment and challenges itself to ensure that every child's experience justifies the expense... This standard should be recognised and identifiable by pupils, parents, teachers, local authorities and importantly the HMIE Inspectorate
- 243. Both Jamie Miller and Nick March agreed that there is a need for a quality standard to be developed and implemented. Nick March, representing AHOEC Scotland, highlighted the ongoing work being undertaken in designing a new quality framework . He said <sup>164</sup>
  - That is being done in association with curriculum colleagues, not the inspectorate of education in Scotland, and with teachers. We have brought 25 outdoor professionals into what is described as a megabubble to try to come up with the idea. At the moment, there is nothing of that standard, but it is going to come for Scotland.
- 244. The Committee believes that a framework should be established to ensure that the quality of residential outdoor education centre provision is consistent across Scotland.

# Finance and Public Administration Committee and Delegated Powers and Law Reform Committee Consideration

- 245. The FPA Committee received 9 responses to its call for views on the estimated financial implications of the Bill and took evidence from the Member in Charge on 19 November 2024.
- 246. The FPA wrote to the Committee on 13 December 2024 setting out its findings on the Financial Memorandum, which has been referred to in this report. <sup>103</sup>
- 247. The Delegated Powers and Law Reform (DPLR) Committee considered the delegated powers in the Bill and published its report on the Bill on 1 November 2024. <sup>165</sup> The Committee notes the findings of the FPA Committee and the DPLR Committee.

# Overall conclusion

- 248. The Committee agrees with the general principles of the Bill, in terms of ensuring all pupils in Scotland have equal access to residential outdoor education, and commends the Member in Charge for introducing this Bill to Parliament.<sup>i</sup>
- 249. However, the Committee has outlined concerns in relation a number of areas including the financial aspects of this Bill and its potential impact on teachers' terms and conditions and concerns on ensuring pupils with ASN can enjoy the provisions associated with the Bill. To be clear, the Committee believes that this Bill should only proceed providing these concerns can be addressed. Moreover, should this Bill be passed, the Committee recommends that sufficient time must be allowed to put the necessary arrangements in place prior to its implementation.

recognises the importance of the Bill's objective to promote equal access to residential outdoor education for pupils across Scotland, and commends the Member in Charge's commitment in bringing this matter before Parliament. However, the Committee has real concerns that it is unaffordable for the Scottish Government to provide the required funding, and there is a strong likelihood that the present model of teachers' volunteering to take part would be undermined. This was disagreed to by casting vote. (For: Jackie Dunbar, George Adam, Keith Brown, Bill Kidd, John Mason; Against: Douglas Ross, Miles Briggs, Pam Duncan-Glancy, Ross Greer, Willie Rennie). Paragraph 248 was agreed to by casting vote. (For Douglas Ross, Miles Briggs, Pam Duncan-Glancy, Ross Greer, Willie Rennie; Against: Jackie Dunbar, George Adam, Keith Brown, Bill Kidd, John Mason).

# **Annexe**

Extracts from the minutes of the Education, Children and Young People Committee, notes of the informal session and associated written and supplementary evidence

28th Meeting, Wednesday 6 November 2024

#### Schools (Residential Outdoor Education) (Scotland) Bill:

The Committee heard evidence on the Bill at Stage 1 from—

- Emeritus Professor Chris Loynes, Professor in Human Nature Relations, Institute of Science and Environment, Centre for National Parks and Protected Areas (CNPPA) & Outdoor Studies, University of Cumbria;
- Professor Greg Mannion, Senior Lecturer in Education, University of Stirling;
- Dr Roger Scrutton, Honorary Research Fellow in Outdoor Education, University of Edinburgh.

#### Consideration of Evidence (In Private):

The Committee considered the evidence it heard earlier under agenda item 1.

#### Written evidence:

Emeritus Professor Chris Loynes, Professor in Human Nature Relations, Institute of Science and Environment, Centre for National Parks and Protected Areas (CNPPA) & Outdoor Studies, University of Cumbria;

Professor Greg Mannion, Senior Lecturer in Education, University of Stirling;

Dr Roger Scrutton, Honorary Research Fellow in Outdoor Education, University of Edinburgh.

Supplementary evidence from Professor Greg Mannion, 6 November 2024

Supplementary evidence from Professor Chris Loynes, 14 November 2024

29th Meeting, Wednesday 13 November 2024

#### Schools (Residential Outdoor Education) (Scotland) Bill:

The Committee heard evidence on the Bill at Stage 1 from—

- Andrew Bradshaw, Wider Achievement Manager (Outdoor Learning and Adventure Education), City of Edinburgh Council, also representing The Scottish Advisory Panel for Outdoor Education:
- Matthew Sweeney, Policy Manager, Children and Young People, Convention of Scottish Local Authorities (COSLA);
- Tara Lillis, Policy Official (Scotland), NASUWT;

Schools (Residential Outdoor Education) (Scotland) Bill - Stage 1 Report, 1st Report, 2025 (Session 6)

#### and then from-

- Phil Thompson, Development Manager, Ardroy Outdoor Education Centre;
- Nick March, Association of Heads of Outdoor Education Centres Scotland;
- Freda Fallon, Development Manager, Scotland, Outward Bound Trust;
- Jamie Miller, Chief Executive, Scottish Outdoor Education Centres.

#### Review of Evidence (In Private):

The Committee considered the evidence it heard earlier under agenda item 2.

#### Written evidence:

**Ardroy Outdoor Education Centre** 

Association of Heads of Outdoor Education Centres Scotland

City of Edinburgh Council

**COSLA** 

**NASUWT** 

**Outward Bound Trust** 

Scottish Advisory Panel for Outdoor Education

Scottish Outdoor Education Centres

31st Meeting, Wednesday 27 November 2024

#### Schools (Residential Outdoor Education) (Scotland) Bill:

The Committee heard evidence on the Bill at Stage 1 from—

- Natalie Don-Innes, Minister for Children, Young People and the Promise;
- Saskia Kearns, Team Leader, Curriculum Development, Scottish Government;
- Nico McKenzie-Juetten, Lawyer, Scottish Government Legal Directorate.

#### **Review of Evidence Session (In Private):**

The Committee considered the evidence it heard earlier under agenda item 4.

34th Meeting, Wednesday18 December 2024

#### Schools (Residential Outdoor Education) (Scotland) Bill:

The Committee heard evidence on the Bill at Stage 1 from—

- Liz Smith MSP, Member in Charge of the Bill;
- Neil Stewart, Senior Clerk, Non-Government Bills Unit.

#### **Consideration of Evidence (In Private):**

The Committee considered the evidence it heard earlier under agenda item 2.

4th Meeting, Wednesday 29 January 2025

**Schools (Residential Outdoor Education) (Scotland) Bill (In Private)**: The Committee considered the draft Stage 1 Report. A number of changes were agreed (one by division).

#### Written submissions

The Committee received a significant number of written submissions from organisations and individuals to the call for views which have been published on the website —

Published responses

SPICe summary of responses

#### Correspondence

Supplementary written evidence from the Association of Heads of Outdoor Education Centres, 17 December 2024

Letter from the Minister for Children, Young People and The Promise, 13 December 2024

Letter from Liz Smith MSP, Member in Charge, 28 November 2024

The Committee wrote to Aberdeenshire Council, City Edinburgh Council, Glasgow City Council, North Ayrshire and South Ayrshire Council on the 15 November 2024. The following responses were received—

Letter from Aberdeenshire Council, 9 December 2024

Letter from City of Edinburgh Council's Outdoor Learning and Adventure Education Team, 11 December 2024

Letter from Glasgow City Council, 12 December 2024

Informal session with teachers 9 December 2024

Note of discussion

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