

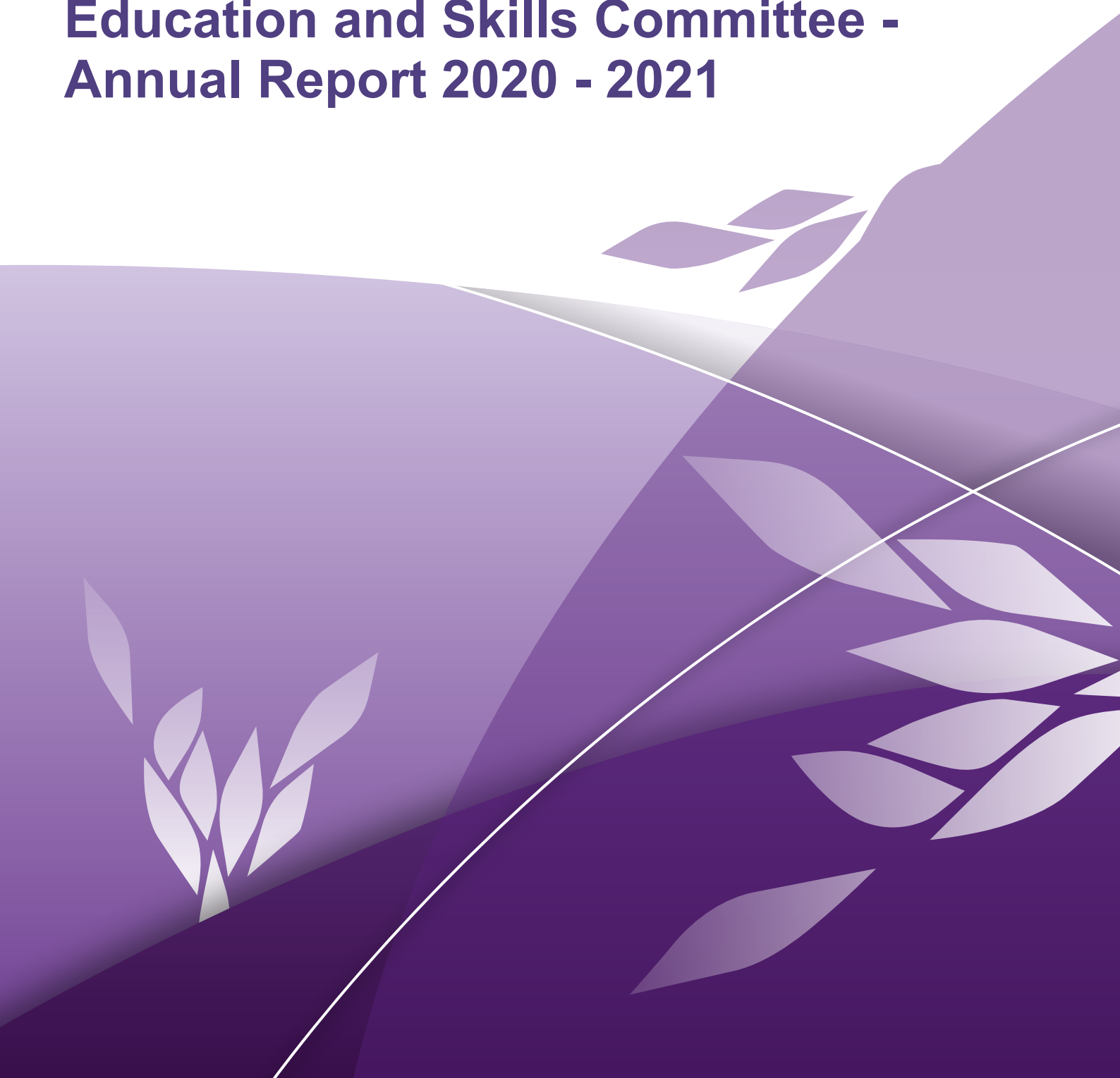


The Scottish Parliament  
Pàrlamaid na h-Alba

Published 25 March 2021  
SP Paper 979  
5th Report 2021 (Session 5)

## **Education and Skills Committee Comataidh Foghlam is Sgilean**

# **Education and Skills Committee - Annual Report 2020 - 2021**



**Published in Scotland by the Scottish Parliamentary Corporate Body.**

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# Education and Skills Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Education and Skills.



[es.committee@parliament.scot](mailto:es.committee@parliament.scot)

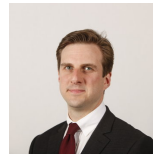


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# Committee Membership



**Convener**  
**Clare Adamson**  
Scottish National Party



**Deputy Convener**  
**Daniel Johnson**  
Scottish Labour



**George Adam**  
Scottish National Party



**Kenneth Gibson**  
Scottish National Party



**Iain Gray**  
Scottish Labour



**Jamie Greene**  
Scottish Conservative  
and Unionist Party



**Ross Greer**  
Scottish Green Party



**Rona Mackay**  
Scottish National Party



**Oliver Mundell**  
Scottish Conservative  
and Unionist Party



**Alex Neil**  
Scottish National Party



**Beatrice Wishart**  
Scottish Liberal  
Democrats

# Scope of this Report

1. This annual report covers the period of 12 May 2020 to 24 March 2021, after which the Scottish Parliament will go into the campaign recess period from 25 March to 4 May 2021.
2. The Scottish Parliament agreed on 3 March 2021 to vary Standing Orders so that committees could not meet during the pre-election campaign period (with the exception of the COVID-19 Committee, which may be convened in an emergency).
3. This decision was taken in response to the Scottish General Election (Coronavirus) Act 2021 which provides that the Scottish Parliament will not be dissolved until 5 May 2021 to permit the Parliament to meet to legislate for a new polling date if required.

# At a Glance



**32**

Committee meetings



**85**

Number of people  
who gave evidence



Bills scrutinised



Reports published

Source: Scottish Parliament

# Introduction

4. In the last year, the majority of our work has been devoted to responding to an ever-changing education and skills landscape. Exam cancellations, home-schooling, appeals processes and students returning to and then leaving colleges and universities have all featured prominently in our work.
5. As a Committee, we have always ensured that our work is informed by our stakeholders. In a 'normal' year, this would involve visits and focus groups, hearing first-hand people's views on issues under our remit. This year, we have made significant changes to the ways in which we have engaged with others.
6. We have reached out to pupils, parents, students, teachers and other educational professionals from right across Scotland using digital focus groups and evidence sessions and have expanded our use of web and social media tools too. This work is explored in more detail in the 'Engagement' and 'Web and Social Media' sections of this report.
7. This report provides a summary of the key activities we have undertaken since May 2020. Full details of our work, including copies of Committee papers, reports and focus group notes, can all be found on our Committee [web-page](#).



## Membership changes

8. The following members left the Committee during this reporting period—

**Alasdair Allan MSP** (Committee Member 6 September 2018 to 6th October 2020)

**Jamie Halcro Johnston MSP** (Committee Member 25 February 2020 to 16 December 2020)

**Gail Ross MSP** (Committee Member 3 September 2019 to 1 September 2020)

9. The following members joined the Committee during the reporting period—

**George Adam MSP** from 6 October 2020

**Kenneth Gibson MSP** from 1 September 2020

**Oliver Mundell MSP** from 16 December 2020

# Key Statistics

10. In the period covered by this report, the Committee met 32 times and considered items in private 48 times at 30 meetings.
11. We produced one [Stage 1 report](#) (for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill). We also published [an easy-read summary](#) of this report. In addition, we carried out work inquiring into the [SQA, Exam Diet and Assessments](#); the [Impact of Covid-19 on further and higher education](#); as well as [examining the impact of re-opening schools in August 2020](#) and progressing work on [Early Learning and Childcare](#) and [Additional Support for Learning](#), including the Morgan Review.
12. We also considered several pieces of [subordinate legislation](#). This include 6 Scottish Statutory Instruments (SSIs) under the affirmative procedure and 16 SSIs under the negative procedure.
13. This year, of the 85 witnesses who appeared before the Committee, 52% were male and 48% were female.

# Inquiries, Reports & Stand-alone Evidence Sessions

## Exam Diet and Assessments

14. In the last year, we have looked at the impact of exam cancellations and critically analysed both SQA's moderation process and appeals arrangements.
15. We held an [online focus group](#) with MSYPs from the Scottish Youth Parliament's Education and Lifelong Learning Committee. We heard that decisions affecting them had been poorly communicated by public bodies and that they did not feel they had been properly consulted.
16. As part of this work, we also took evidence on a number of occasions from the DFM/Cabinet Secretary for Education and Skills, the SQA and Education Scotland. More details of these evidence sessions can be found on our [webpage](#).
17. In November 2020, we heard [evidence](#) from Professor Mark Priestley and Dr Marina Shapira, following publication of the National Qualifications Experience 2020 Rapid Review Report.
18. This work has continued into this academic year. In March 2021, we [heard](#) from Young Advisers from the office of the Children and Young People's Commissioner. They discussed the impact of exam cancellations and suggested how their rights could have been better safeguarded. They also talked about how Covid-19 restrictions had damaged their mental health and well-being.

## Impact of Covid-19 on Further & Higher Education

19. In 2020/21 the Committee carried out a short [inquiry](#) examining the impact of Covid-19 on the Further and Higher Education sectors.
20. In May 2020, we held two online focus groups with Principals from [Universities](#) and [Colleges](#) to discuss the impact of Covid-19 on the Further and Higher Education sector and to inform an [evidence session](#) with the Minister for Further Education, Higher Education and Science. The Committee also [heard](#) from the Scottish Funding Council.
21. We followed up on this work, holding a further [evidence session](#) with the Minister for Further Education, Higher Education and Science in January 2021 to explore issues including remote learning, student well-being, student hardship and accommodation issues arising from students returning home early due to Covid-19.

## Re-opening of Schools

22. In June 2020, we heard [evidence](#) from EIS, School Leaders Scotland, COSLA, the

Association of Directors of Education in Scotland (ADES) and the DFM/Cabinet Secretary on the impact of Covid-19 on the reopening of schools after the summer holidays.

23. We then [wrote](#) to the Education Recovery Group and COSLA. We asked questions about the future of the Education Recovery Group, the creation of an Equity Audit (in relation to school return), enhanced Covid-19 testing on return to schools, wrap-around care (breakfast and after-school clubs) and wider workforce issues.
24. We returned to this topic in September 2020, once the schools had returned. We [spoke](#) to the DFM/Cabinet Secretary for Education again and explored issues including access to digital devices for pupils under-taking remote learning, outdoor education, the potential impact of staff absences due to Covid-19/self-isolation, ASN provision, the planned review of Co-ordinated Support Plans and future assessment models.

## Early Learning and Childcare

25. The Committee held several informal and formal sessions on early learning and childcare this year, primarily focusing on the expansion of early years provision to provide 1140 hours of funded childcare.
26. Delays due to the pandemic meant the deadline for the introduction of 1140 hours across Scotland was pushed back until August 2021.
27. In December 2020, we held an online [informal focus group](#) with childcare providers. This was designed to inform an [evidence session](#) with the Minister for Children and Young People the same day. The informal session covered a range of issues, including relationships between private childcare providers and local authorities, cross-boundary placements, wrap-around care, childminders and workforce issues.
28. Following the evidence session with the Minister for Children and Young People, we [wrote](#) to the Minister to request an update on issues linked to the 1140 hours roll-out, including whether there were any construction/capital building issues arising from the pandemic, the anticipated split of funding between council and PVI (private sector) provision and whether funding intended for 1140 hours roll-out had been diverted to Covid-related expenses (e.g. to pay for the operation of childcare hubs). We received a [response](#) in January 2021.
29. The Committee also considered an SSI to ensure that children who defer their entry to primary school can access funded Early Learning and Childcare. These provisions will come into force in August 2023.

## Additional Support for Learning Review

30. In 2017, we carried out an inquiry into school education, publishing a [report](#) entitled 'How is Additional Support for Learning Working in Practice?'. A key recommendation of that report was that the Scottish Government should undertake a quality assurance review of the implementation of the presumption to mainstream

policy and more broadly of the availability of additional support for learning in mainstream schools. In 2019 the Scottish Government agreed to carry out an independent review of Additional Support for Learning.

31. This review was chaired by Angela Morgan, with its results being published in June 2020 ([the Morgan Review](#)).
32. In November 2020, we heard [evidence](#) from Angela Morgan. Following this session, we [wrote](#) to the DFM/Cabinet Secretary for Education and Skills to request an update on work being undertaken to review Co-ordinated Support Plans. We received a [response](#) in December 2020.
33. We also [wrote](#) to the Auditor General to support the Morgan's Review's recommendation that the key themes of the report should inform Audit Scotland's national performance audit on outcomes for children and young people with additional support needs.

## Bills

34. This year the Committee has had the opportunity to consider two pieces of draft legislation (Bills):
- [The Redress for Survivors \(Historical Child Abuse in Care\) \(Scotland\) Bill](#); and
  - [The Disabled Children and Young People \(Transitions to Adulthood\) \(Scotland\) Bill](#).

### **The Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill**

35. The Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill was introduced in August 2020.
36. Its aim was to:
- set up a scheme to make financial payments ('redress payments') to survivors of historical child abuse in care in Scotland or in some circumstances where the survivor has died, to their partner or children; and
  - to create a new independent public body, called Redress Scotland, to make decisions about these payments.
37. We issued a Call for Views which was open between 24 August and 2 October 2020. This received responses from both individuals and organisations.
38. We held 8 evidence panels for this Bill. We also met with a number of survivors. Some gave evidence in public and other spoke to us privately.
39. We heard evidence from:
- the Bill Team;
  - Dr Maeve O'Rourke (in relation to redress schemes in Ireland);
  - Legal Professionals;
  - Human Rights bodies;
  - Social Work and bodies representing looked after children and young people;
  - Survivor organisations;
  - Organisations likely to contribute towards redress and OSCR;
  - DFM/Cabinet Secretary for Education and Skills
40. Our Stage 1 [report](#) was published on 9 December 2020 with the [Stage 1 debate](#) taking place on 17 December 2020. We also produced an [easy-read summary](#) of our Stage 1 report.

41. We considered Stage 2 amendments to the Bill at our meetings on [10 February](#) and [17 February](#).

## Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill

42. The Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill was a Members' Bill, lodged by Johann Lamont MSP and referred to the Committee on 30 September 2020.
43. The Bill's aim was to:
- require Scottish Ministers to introduce and implement a National Transitions Strategy to improve outcomes for children and young people with a disability in the transition to adulthood; and to
  - require local authorities to introduce a transition plan to ensure each child and young person with a disability received appropriate care and support before and during the transition to adulthood.
44. As we received the Bill very late in the current Parliamentary session, it was recognised that there would be limited time for us to scrutinise it.
45. However, we did issue a [Call for Views](#) on the Bill, which received 75 responses. We also considered the results of a [focus group](#) held by Camphill School in Aberdeen and took [evidence](#) from the Member in Charge of the Bill and representatives of Camphill Scotland and Inclusion Scotland.
46. In March 2021, the Convener made a [Committee announcement](#) on the Bill, recognising the Committee's support for the Bill's aims and encouraging our successor committee to pursue the important issues it raised.

## Delayed Work

47. The last year of this session has necessarily been reactive, dealing with emerging issues and scrutinising emergency measures. Whilst this has been entirely appropriate under the circumstances, it has come at a cost to some of our planned proactive work.
48. This includes a planned inquiry into initial teacher education, an inquiry into school counsellors and planned evidence sessions on the impact of Brexit on Further and Higher Education.
49. We have highlighted these issues in our Legacy Report, in the hope that our successor committee may choose to look at them in the next Parliamentary session.



# Budget Scrutiny

50. The timing of the budget this year meant that it was more difficult than usual for us to scrutinise the budget before it was finalised.
51. However, we have agreed to carry out budgetary scrutiny throughout the year and this year explored budgetary issues as part of several inquiries, including looking at further and higher education finances and capital projects in both the early learning and childcare and school sectors.
52. This is consistent with the Budget Process Review Group's findings that Parliamentary Committees should take a full-year approach towards budget scrutiny.
53. In carrying out our scrutiny, we acknowledge that there are some additional challenges in scrutinising school education budgets, given these are managed at a local authority level.

# Subordinate Legislation

54. This year, the Committee considered the following pieces of subordinate legislation—

55. Affirmative

- The Children and Young People (Scotland) Act 2014 (Modification) Order 2021 [draft].
- Children’s Hearings (Scotland) Act 2011 (Rules of Procedure in Children’s Hearings) Amendment Rules 2021 [draft]
- The Provision of Early Learning and Childcare (Specified Children) (Scotland) Amendment Order 2020 [draft]
- The Children’s Hearings (Scotland) Act 2011 (Children’s Advocacy Services) Regulations 2020 [draft]
- Abertay University and Robert Gordon University (Change of Names) (Miscellaneous Amendments) (Scotland) Order 2020 [draft]
- The Registration of Independent Schools (Prescribed Person) (Coronavirus) (Scotland) Amendment Regulations 2020 [draft]

56. Negative

- We also considered 16 SSIs under the negative procedure.

# Public Petitions

57. We are currently considering [four open petitions](#). These are:
- PE1668: Improving literacy standards in schools through research-informed reading instruction
  - PE1692: Inquiry into the human rights impact of GIRFEC policy and data processing
  - PE1548: National Guidance on Restraint and Seclusion in Schools
  - PE1747: Adequate funding to support children with additional support needs in all Scottish schools.
58. Petitions PE1548 and PE1692 remain open as the DFM/Cabinet Secretary for Education and Skills has indicated that guidance on both matters will be finalised later in 2021.
59. Petition PE1688 would have been addressed as part of our inquiry into initial teacher education, but this inquiry was paused as a result of the pandemic.
60. Petition PE1747 was referred to the Committee only very recently, and although some work has been undertaken in relation to Additional Support Needs since it was referred to us, we have not had the time to consider the petition fully.
61. We have recommended in our Legacy Report that these petitions remain open and should be considered afresh by our successor committee in the next Parliamentary session.

# Engagement Work

62. Engagement has been a crucial part of our work this year. Hearing from those with direct, lived experience is vital to form a picture of how a law, policy or practice is affecting different groups.
63. For us, over the last year this has meant engaging with:
- Children and young people;
  - Youth work organisations;
  - Teachers and teaching unions;
  - Childcare providers;
  - Scottish Government;
  - Public bodies, such as Education Scotland; the Scottish Qualifications Authority, the Scottish Funding Council, the Association of Directors of Education Scotland (ADES), COSLA and a wide range of other stakeholders.
64. As part of our inquiry into vulnerable children during the Coronavirus outbreak, for example, we held focus groups with youth workers.
65. As previously stated, in March 2021, we heard evidence from young advisers, working with the Children and Young People’s Commissioner Scotland, regarding the key concerns for children and young people after a year of Covid-19 related disruptions.

## Web and Social Media

66. As business shifted increasingly virtual during the pandemic, the Committee's Twitter account increased its use of short clips taken from Committee business, highlighting key contributors and allowing evidence to be shared directly with followers.
67. 17 such clips were shared on Twitter which accrued 17,000 views. 6 of these clips were also shared on Facebook, where they accrued 142,000 impressions (i.e. were seen in the feed by 142,000 users) and 55,000 views in total.
68. Full or partial Committee meetings were also shared Live or after they had taken place on Facebook. These meetings accrued 272,000 impressions and 89,000 views in total.
69. Facebook Ads were also used to target audiences directly for feedback, for example in relation to the Committee's work on exam cancellations/appeals in November 2020, which reached over 2000 educators directly in Scotland.

