

5th Report, 2010 (Session 3)

Annual Report 2009-10

Remit and membership

Remit:

To consider and report on (a) further and higher education, lifelong learning, schools, pre-school care, skills and other matters falling within the responsibility of the Cabinet Secretary for Education and Lifelong Learning; and (b) matters relating to culture and the arts falling within the responsibility of the Minister for Culture and External Affairs.

Membership:

Claire Baker
Aileen Campbell
Kenneth Gibson (Deputy Convener)
Kenneth Macintosh
Christina McKelvie
Elizabeth Smith
Margaret Smith
Karen Whitefield (Convener)

Committee Clerking Team:

Clerk to the Committee

Eugene Windsor

Assistant Clerk

Emma Johnston

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The Committee reports to the Parliament as follows—

Introduction

1. Over the parliamentary year between 9 May 2009 and 8 May 2010, the Education, Lifelong Learning and Culture Committee has continued its scrutiny of the Scottish Government's legislation and policies relevant to its remit.

2. The Committee has been the lead committee for two government bills, been a secondary committee at Stage 1 for another government bill, scrutinised the elements of the 2010-11 budget within its remit, considered UK legislation under a legislative consent memorandum, agreed to a reporter led inquiry into the issue of widening access to higher education in Scotland, begun two substantial scoping exercises and undertaken a number of evidence sessions on various relevant topics. The Committee also considered a large volume of subordinate legislation and a number of petitions.

Inquiries, other evidence sessions and reports

Inquiry into widening access to higher education in Scotland

3. The Committee agreed to conduct an inquiry in to the issue of widening access to higher education in Scotland and further agreed that this work should be led by two reporters, Claire

Baker MSP and Aileen Campbell MSP.

4. The reporters held informal meetings with the Scottish Funding Council, Universities Scotland, the National Union of Students Scotland, as well as gathering relevant information from the Scottish Government and attending a conference on the issue organised by the Scottish Funding Council.

5. The reporters intend to take stock of all the information they have gathered so far before making recommendations to the Committee on how best to proceed on the issue.

Budget process 2009-2010

6. The Committee took oral evidence from the Cabinet Secretary for Education and Lifelong Learning and the Minister for Europe, External Affairs and Culture as part of its consideration at Stage 2 of the budget process 2009-2010. The Committee reported to the Finance Committee.

Pre-inquiry scoping exercises

7. The Committee agreed to hold two scoping exercise to inform thinking on two significant issues. The first was on the issue of local government funding of education and children's services and the second was on the issue of the future of schools management.

8. As part of the scoping exercise on the issue of local government funding of education and children's services, the Committee agreed to visit four local authorities to meet with senior officials and visit local schools and projects. Two of these visits, to Argyll and Bute Council and Dundee City Council respectively, have taken place with visits to the City of Edinburgh Council and Clackmannanshire Council to follow later in 2010.

9. As part of the scoping exercise on the future of schools management a general call for evidence was issued by the Committee and research on different models was commissioned from the Scottish Parliament's Information Centre (SPICe).

10. The Committee intends to conclude both scoping exercises by autumn 2010 and will then agree how to proceed on both issues.

Evidence sessions

11. The Committee continued to hold a number of evidence sessions on issues across its remit. The Committee took evidence on the following issues:

- Scottish Government's class size policy
- Broadcasting in Scotland
- Local newspaper industry
- Curriculum for Excellence assessment and qualifications
- Scotland's Commissioner for Children and Young People
- Offender learning.

Bills

Schools (Consultation) (Scotland) Bill

12. The Committee completed its Stage 1 scrutiny of the Bill which had begun in the previous reporting year. The Committee took further oral evidence before reporting to Parliament on the general principles of the Bill on 19 June 2009.

13. The Bill was then referred to the Committee for consideration at Stage 2 and the Committee completed its Stage 2 scrutiny of the Bill on 30 September 2009. The Bill was considered, and passed, at Stage 3 on 19 November 2009.

Public Services Reform (Scotland) Bill

14. The Public Services Reform (Scotland) Bill was introduced in the Scottish Parliament on 28 May 2009 by the Cabinet Secretary for Finance and Sustainable Growth, John Swinney MSP. The lead committee at Stage 1 was the Finance Committee.

15. The Education, Lifelong Learning and Culture Committee was one of three committees designated as secondary committees at Stage 1. The Committee scrutinised the elements in the Bill relevant to its remit, which covered the establishment of a national arts body, Creative Scotland, the creation of a new social work body, Social Care and Social Work Improvement Scotland, replacing Social Work Inspection Agency and Scottish Commission for the Regulation of Care, and the dissolution of the Historic Environment Advisory Council for Scotland.

16. The Committee called for written evidence and received 77 submissions. The Committee took oral evidence on the Bill at four meetings in September 2009 and reported to the Finance Committee on 12 October 2009,

Children's Hearings (Scotland) Bill

17. The Children's Hearings (Scotland) Bill was introduced in the Scottish Parliament on 23 February 2010 by Michael Russell MSP, Cabinet Secretary for Education and Lifelong Learning. The Bill was referred to the Education, Lifelong Learning and Culture Committee for Stage 1 consideration by the Parliamentary Bureau at its meeting on 3 March 2010.

18. The Committee appointed an adviser to assist it with its Stage 1 scrutiny of the Bill.

19. The Committee issued a call for written evidence and received 47 submissions. The Committee took oral evidence at five meetings in April/May 2010.

20. The Committee is expected to consider and agree its report to Parliament in June 2010.

Subordinate legislation and UK legislation

21. During the parliamentary year, the Committee considered 29 Scottish Statutory Instruments (SSIs): three under the affirmative procedure and the remainder under the negative procedure.

22. The Committee also considered a legislative consent memorandum (LCM) on the UK Government's Holocaust (Return of Cultural Objects) Bill.

Petitions

23. Following the Parliament's passing of the Schools (Consultation) (Scotland) Bill, the Committee closed its consideration of petitions PE853 and PE872, on the issues of the closure of schools and special needs schools and facilities respectively.

24. The Committee continued its consideration of petition PE1022 on the issue of foreign language learning, receiving information from the Cabinet Secretary for Education and Lifelong Learning. The Committee subsequently agreed to close its consideration of this petition.

25. The Committee also continued its consideration of petition PE1213 on the issue of autism spectrum disorder. The Committee took both written and oral evidence on the issue and subsequently agreed to close the petition.

Informal meetings/events

26. The Committee visited the Big Noise project in Raploch, Stirlingshire, in August 2009. The project is a children's orchestra programme delivered by the charity Sistema Scotland. Its aim is to encourage children to learn musical instruments and play in a symphony orchestra in order to foster confidence, teamwork, pride and aspiration in the children taking part and across their wider community. The Committee met and spoke with those running the project and some of the children taking part as well as watching a rehearsal of the orchestra.

27. As part of its on-going work on broadcasting in Scotland the Committee visited the BBC Scotland building at Pacific Quay in Glasgow in February 2010, met with senior officials and toured the facilities.

Equalities

28. The Committee continued to mainstream equalities issues throughout its work in the

parliamentary year. In particular, the Committee held a round-table evidence session on the issue of autism in education as part of its consideration of a petition on autism spectrum disorder. The National Autistic Society Scotland, the Scottish Society for Autism and the Scottish Support for Learning Association were amongst the organisations who gave evidence. The Committee also took evidence from the Minister for Children and Early Years on the topic and received a number of written submissions.

29. Claire Baker MSP represented the Committee at an event run by the Equal Opportunities Committee on 30 October 2009. The Mainstreaming Equal Opportunities event featured a breakout session specifically on issues relevant to the Committee, jointly chaired by a member of the Equal Opportunities Committee and Claire Baker MSP and attended by a wide range of relevant stakeholder organisations, including Stonewall Scotland, Fairbridge Scotland, Inclusion Scotland, Enable Scotland, the Scottish Traveller Education Programme and Black and Ethnic Minority Infrastructure in Scotland.

30. The breakout session discussed issues such as the implementation of the Education (Additional Support for Learning) (Scotland) Act 2009, schools' interaction with disabled parents, bullying within the lesbian, gay, bi-sexual and transgender groups, the education of Gypsy/Traveller children, and the equality of access to further and higher education.

31. The Committee continued to ensure that relevant equalities groups were included in all its calls for evidence. Additionally, the Committee visited the enhanced provision for pupils with autism as part of a visit to Morgan Academy in Dundee in March 2010 and met pupils at varying points on the autism spectrum.

Meetings

32. During the parliamentary year, the Committee met 33 times. Of these meetings, none was held entirely in private. 16 meetings were held partly in private. Meetings were held in private or partly in private in order to consider draft reports, work programme papers or witnesses' expenses. All the Committee's meetings were held in Edinburgh.