



HEALTH AND SPORT COMMITTEE

AGENDA

31st Meeting, 2012 (Session 4)

Tuesday 13 November 2012

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

1. **Decision on taking business in private:** The Committee will decide whether its consideration of a draft report on the Inquiry into support for community sport should be taken in private at future meetings.
2. **Petition PE1434:** The Committee will consider a petition by Nairn McDonald calling on the Scottish Parliament to urge the Scottish Government to make sure every school can provide adequate sports facilities and resources for their students and to create a minimum level of facilities available.
3. **Draft Budget Scrutiny 2013-2014 (in private):** The Committee will consider a draft report on the Draft Budget 2013-2014.

Eugene Windsor
Clerk to the Health and Sport Committee
Room T3.60
The Scottish Parliament
Edinburgh
Tel: 0131 348 5410
Email: eugene.windsor@scottish.parliament.uk

The papers for this meeting are as follows—

Agenda Item 2

Note by the Clerk

HS/S4/12/31/1

Agenda Item 3

PRIVATE PAPER

HS/S4/12/31/2 (P)

Health and Sport Committee

31st Meeting, 2012 (Session 4), Tuesday, 13 November 2012

PETITION PE1434

Introduction

1. Petition PE 1434, by Nairn McDonald, calls on the Scottish Parliament to urge the Scottish Government to make sure every school can provide adequate sports facilities and resources for their students and to create a minimum level of facilities available.
2. The SPICe briefing on the petition is available [here](#) and is also contained at Annexe A.

Consideration by Public Petitions Committee (PPC)

3. On 26 June 2012, the PPC took evidence from Nairn McDonald MSYP and Katherine Vezza, Youth Engagement Worker, Scottish Youth Parliament. The Committee agreed to write to the Scottish Government, Education Scotland, sportscotland, the Association for Physical Education Scotland, the Scottish Sports Association and COSLA.
4. The PPC received a reply from sportscotland and a joint reply from Education Scotland and the Scottish Government. These replies are contained at Annexe B.
5. On 30 October 2012, the PPC agreed, under Rule 15.6.2, to refer the petition to the Health and Sport Committee.

Consideration of the petition – Health and Sport Committee

6. The Committee will be aware that the matters raised by the petition have been considered in some detail during the Committee's current inquiry into support for community sport. The three main themes in the inquiry have been "people, places and participation" and a number of witnesses who have given evidence to the Committee have referred to sports facilities in schools. It would be expected that the committee's report would be likely to make some reference to the evidence received in relation to sports facilities in schools.
7. The first draft of the Committee's report on this inquiry is due to be considered by the Committee at its meeting on 20 November 2012.
8. The Committee may wish to incorporate consideration of this petition into consideration of the conclusions of the inquiry into support for community sport.

Recommendation

9. The Committee is therefore invited to consider whether to—
 - a) Incorporate consideration of petition PE1434 into the inquiry into support for community sport; and

b) keep the petition open until the inquiry into support for community sport has been concluded, when a decision can be made on whether any further work on the petition is required.

Eugene Windsor
Clerk to the Health and Sport Committee

Annexe A: SPICe briefing

Background

School funding is a matter for local authorities, which includes the funding of the PE curriculum.

Sportscotland run a [sports facilities fund](#) for facilities that will benefit the community generally. Since 2007, over £21 million has been invested through this fund in facilities throughout Scotland (S3W-36240).

A [national audit of sports facilities](#) in 2006 found an ageing stock of sports facilities, although there were many good examples of high quality facilities. In relation to schools it found that: "Facilities in local authority schools account for £20m of required expenditure. However, significant improvements have already been made under the Scottish Executive's school rebuilding programme, whilst further improvements will be secured from other school projects currently underway. The further education sector is also investing substantial sums in new and upgraded sports facilities."

[Building Better Schools](#), the school estate strategy issued jointly by the Scottish Government and COSLA in 2009, sets out the aim of making school facilities more available to the local community. In addition, the Scottish Government's Commonwealth Games 2014 [Legacy Plan](#), includes the creation of [Community Sport Hubs](#) across all local authority areas. The Scottish Government has set a target that 50% of these hubs must be based in schools. The initiative is being led by Sportscotland, which has set aside £1.5m per annum to 2015 for the programme.

The most up-to-date list of hubs details and locations is available [here](#).

Further, the [Active Schools](#) network aims to increase the number of opportunities for all children to get engaged in sport and also try to build bridges with sports clubs and other community organisations to give pupils a "pathway" to continue their participation in sport outside school.

Scottish Government Action

[Reaching Higher – the 2007 national strategy for sport](#) recognised the importance of quality facilities and recommended opening up school sports facilities to the community. The Government has a target that by 2014, every pupil in S1 to S4 has at least two hours or two periods of PE a week. Sportscotland has identified an additional £3.4 million to be distributed to authorities over the next two years to help deliver the pledge. This will be supplemented with a further £2.4 million package of national developments led by Education Scotland to increase the support available to local authorities and teachers. Each local authority will work in partnership with sportscotland and Education Scotland to agree an action plan which will help support delivery of their commitment." ([News release 29th March 2012](#))

Scottish Parliament Action

Physical activity was the subject of a debate in the chamber on 17th May 2012. This included discussion of physical education in schools.
<http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=7031>

In the last Parliamentary session, the then Health and Sport Committee undertook a wide-ranging inquiry into sport. Its final report focussed on physical education (PE) in schools as a way to encourage better physical literacy and greater participation rates in sport and other physical activity. Amongst its recommendations, it wished to see greater leadership from the Scottish Government to ensure better PE provision and the meeting of the PE target. It also considered the Active Schools programme.

Whilst acknowledging the good work that was taking place, particularly with primary schools, it considered little progress had been made in the early years of secondary school. It wished to see better coordination between partners at a local level and agreement nationally on how to take the programme forward. As regards facilities it wished to see:

- greater use of sports hubs to facilitate sporting opportunities and to provide a base for sports clubs
- the unlocking of the potential for school facilities to be used by the wider community

The Committee received a [response from the Scottish Government](#) to the report on 21 August 2009, and a [response from Sportscotland](#) on 2 September 2009. The Parliament held a [debate on the Committee's report](#) on 16 September 2009.

Camilla Kidner
Senior Researcher
20 June 2012

Annexe B: Letters received by the Public Petitions Committee**Letter from the Scottish Government/Education Scotland**

Thank you for your letter of 29 June to the Scottish Government seeking a written response to the Public Petitions Committee on PE1434. The specific question to which the Scottish Government were requested to respond is set out below, followed by our response.

What are your views on what the petition seeks?

Petition PE1434 calls on the Scottish Parliament to urge the Scottish Government to make sure every school can provide adequate sports facilities and resources for their students and to create a minimum level of facilities available.

Under current legislation, the statutory responsibility for the provision of education in Scotland rests with education authorities. They are charged with providing an adequate and efficient education, suitable to the needs of the child for children of school age residing in their area. It is, therefore, a matter for individual local authorities to determine the level of sports facilities required in individual schools. They will, of course, do so within the legislative framework which include regulations specific to the provision of sports facilities. The School Premises (General Requirements and Standards) (Scotland) Regulations 1967 sets out requirements with regard to educational accommodation depending on the number of pupils at the school. This includes accommodation for physical education. Similarly there is a requirement to provide playing fields, with the precise area of playing fields again determined by the number of pupils. The regulations also stipulate that every school shall have immediately adjacent to the school building, an outdoor area laid out and surfaces for educational and recreational purposes.

The legislative framework is then already there to ensure that schools provide a minimum level of facilities and resources for their students to be able to undertake a range of physical activities. In many new schools these facilities are exemplary and will far exceed minimum standards. Although as I have explained, it is for individual local authorities to determine the level and range of facilities that are to be provided within the school estate, the Scottish Government, through sportscotland, makes funding available to support the development of sports facilities provided a number of criteria are met including the accessibility of the facility to the wider community.

You may be aware that as part of the Scottish Government's legacy ambitions for the Commonwealth Games, we are looking to develop 150 Community Sports Hubs across Scotland. These Hubs will offer a home for sports in the local community ensuring better coordination and support for a wide range of activities. The Hubs will be based in a variety of locations with at least 50% based in schools.

Jonathan Moore

Letter from sportscotland

Thank you for your letter of 29 June seeking a response from sportscotland to Petition PE 1434 and in particular the question:

- What are your views on what the petition seeks?

The Petition calls on the Scottish Parliament to urge the Scottish Government to make sure every school can provide adequate sports facilities and resources for their students and to create a minimum level of facilities available.

The Scottish Government, in its letter to you of 21 September, has already made it clear that under current legislation, the statutory responsibility for the provision of education in Scotland rests with the education authorities. They are charged with providing an adequate and efficient education, suitable to the needs of the child for children of school age residing in their area. It is, therefore, a matter for individual local authorities to determine the level of sports facilities required in individual schools. They will, of course, do so within the legislative framework which include regulations specific to the provision of sports facilities.

The School Premises (General Requirements and Standards) (Scotland) Regulations 1967 sets out the requirements with regard to educational accommodation depending on the number of pupils at the school. This includes accommodation for physical education. Similarly there is a requirement to provide playing fields, with the precise area of playing fields again determined by the number of pupils. The regulations also stipulate that every school shall have immediately adjacent to the school building, an outdoor area laid out and surfaces for educational and recreational purposes. The legislative framework is then already there to ensure that schools provide a minimum level of facilities and resources for their students to be able to undertake a range of physical activities.

As the national agency for sport in Scotland we work very closely with local authorities and see them as vital to the provision of sports facilities throughout the country. In this regard there is a further statutory obligation placed on local authorities through the Local Government and Planning (Scotland) Act 1982 which requires the 'adequate' provision for sport. The interpretation of the legislation is a matter for local authorities themselves and any challenge to that interpretation is a matter for the courts.

You will be aware of the Scottish Government's announcement on 23 September that another 30 schools are expected to be built or refurbished as part of the next phase of the schools building programme. Currently sportscotland, as a statutory consultee, is consulted on developments where playing fields are likely to be affected but we have no statutory remit in relation to the development of sports facilities within schools.

The 'Pathways into sport and physical activity' inquiry by the Health and Sport committee (in the previous parliamentary session) recommended that sportscotland be consulted on new school proposals. This was not supported by the Scottish Government for a number of reasons and we don't think the reasons for rejecting this

recommendation will have changed. As such, we can't see much to be gained by pushing this.

However, we take the view that making a difference in new schools and their sports provision could be more usefully influenced at an earlier stage in the development process, mainly via Government and in turn the Scottish Futures Trust who are, of course, the key body in relation to the financing of these. It's obviously vital that good quality sports facilities are provided in new schools, and we have published good practice design standards which, in our view, should be considered at an early stage in the design process:

<http://www.sportscotland.org.uk/ChannelNavigation/Resources/TopicNavigation/Publications/Design+guidance+for+secondary+school+sports+facilities.htm>

We would welcome early engagement in the design process and we have staff with relevant design expertise who can contribute.

In its submission to the committee in response to the Petition the Scottish Government also highlighted sportscotland's role in supporting the development of facilities for sport throughout the country, through our Sports Facilities Fund, and in delivering the G2014 Legacy target of 150 Community Sports Hubs.

I hope this response to the Petition demonstrates the breadth of work being taken to improve the provision of sport in schools but should the committee want to discuss the issues raised by the petitioner in greater detail please contact me on Tel: 0141 534 6562.

Alan Miller
Strategic Partnerships Manager