



The Scottish
Parliament

Education Committee

6th Meeting, 2007

Tuesday 27 February 2007

The Committee will meet at 2.30 pm in Committee Room 3

1. **Decisions on taking business in private:** The Committee will consider whether to take items 5 and 6 in private.
2. **PE 825 - witness expenses:** The Committee will be invited to delegate to the Convener responsibility for arranging for the SPCB to pay, under Rule 12.4.3, any expenses of witnesses.
3. **Public petitions:** The Committee will consider the following petition—

PE 825 by Rosshall Academy Students' Council and Higher Modern Studies Section calling on the Scottish Parliament to urge the Scottish Executive to ensure that every Scottish secondary school provides lockers for pupils' use;

and take evidence from—

Jonathan Cunningham, Student, Rosshall Academy

Colin Kerr, Student, Rosshall Academy

Mahreen Iqbal, Student, Rosshall Academy

Lesley McCallum, Teacher of Modern Studies, Rosshall Academy

4. **Public petitions:** The Committee will further consider the following petitions in the light of correspondence received from COSLA, the Accounts Commission and the Scottish Executive—

PE 853 by Mr Ken Venters, on behalf of Carronhill Action Team

PE 872 by Alexander Longmuir, on behalf of the Arbilot Parents Group
5. **Legacy paper:** The Committee will consider a draft legacy paper.
6. **Teachers' Agreement:** The Committee will consider a draft report on the implementation of the Teachers' Agreement.

Eugene Windsor
Clerk to the Committee
Room T3.40, Committee Office
Ext. 0131 348 5204

We, the pupils of Rosshall Academy, decided to put forward a petition to the Public Petitions Committee of the Scottish Parliament because although we had moved into a newly built PPP Secondary School the building was far too small to have anywhere to put lockers. As we had to carry heavy bags around with us all day, we felt that locker provision should be a necessary requirement for every newly built Secondary School in Scotland.

We surveyed all years groups in our school and weighed school bags. We found that pupils were carrying between 6 kilos and 11 kilos in their bags every day depending on what subjects they had.

We gathered evidence about determined effect on health that lifting and carrying bags this heavy would have. It was estimated that pupils lifted these bags 10 times+ per day and this multiplied by the 180 schooldays a year, showed that pupils are lifting 9797 kilos per school year. Through further research we also discovered that there is a back problem called Scoliosis that can be caused by carrying heavy loads particularly in childhood when bones are not fully formed. We contacted the Backcare pressure group and they fully endorsed our campaign.

We also discovered that surveys show 50 % of youths experience at least one back pain episode in their teenage years. Some countries, for example New Zealand, Bolivia, Israel and Poland have already legislated on heavy school bags, and have weight limits on school bags for different age groups. We feel our petition if brought into law would help this problem greatly.

When the Public Petitions Committee asked for a response from our local council, Glasgow City council, they replied in saying that "Glasgow provided sufficient space for Rosshall Academy and indeed all of the project schools to organise their own activities according to local requirements." This is not the case as our school has limited space for even the pupils to move around and so there is absolutely no space at all for locker provision. We were willing to raise the money for lockers ourselves so that there would be no need for any of the education authorities' money to be used, but there is simply nowhere to put them.

We did invite Glasgow's, then Director of Education to come and identify places in the school where lockers could go but unfortunately he was unable to attend.

We feel it is ridiculous that some newly built schools have been built with no space for extras, such as lockers whereas others e.g. Williamwood Secondary School in East Renfrewshire have provided their pupils with 1700 lockers.

We are calling for the Scottish Parliament to legislate on this matter and to stop the potential damage to Scotland's Young peoples' backs.



EDUCATION COMMITTEE

Public petitions

Introduction

1. In addition to PE 825 on school lockers (considered under agenda item 3), two petitions that have been referred to the Committee by the Public Petitions Committee are currently open:
 - PE 853** from Mr Ken Venters on the closure facilities for children with special needs
 - PE 872** from Mr Alexander Longmuir on the closure of rural schools
2. Since the Committee's last consideration of these petitions, correspondence relating to these petitions has been received from the Scottish Executive, COSLA and the Accounts Commission.
3. The Committee should note that any petitions that remain open at the end of the session will return to the Public Petitions Committee of the next session of the Parliament for consideration and possible referral.

Action

4. The Committee is invited to **CONSIDER** the correspondence received.

Eugene Windsor
Clerk
Education Committee

30 January 2007

Your Ref:

Mr Iain Smith MSP
Room T3.40
The Scottish Parliament
Holyrood
Edinburgh
EH99 1SP

Our Ref:

Dear Iain,

Petitions PE 853 and PE 872

In response to your recent letter regarding the above petitions, I'm pleased to offer the following comments. Indeed, it was my intention to contact you following concerns COSLA has at the erroneous nature of discussions at the Education Committee on the 13th December 2006. I'll respond to your points in order, and then address some issues from the Committee discussion.

Special Needs Schools

The guide does not seek to be an answer to all questions around school estates. We have therefore not focussed on special needs facilities, which would require an in-depth technical knowledge of such issues. Frankly, those authorities that deliver special needs provision are well aware that different circumstances exist. The entire thrust of Petition 853 is about ensuring that special needs facilities remain open. To my knowledge, no special needs schools are being proposed for closure at present, and I see no need for legislative changes to force councils through additional bureaucratic stages. Whilst the input and views of third parties are valuable, their influence still has to be taken in the context of a wide range of other factors. Councils never take the decision to close any school lightly, least of all those delivering special needs education.

Consultation with Scottish Rural Schools Network (SRSN) and Review of COSLA Guide.

On the question of discussions with other organisations such as SRSN, COSLA is happy to consider views from other parties. We did indicate to the Petitioner that we may discuss these issues with them at some point, and did indeed receive some brief suggestions by e-mail from SRSN to this effect. COSLA does intend to revise the guide periodically in response to issues raised by our members and others. The process of review will not be a formal one, as the guide is not intended as a prescriptive tool and will evolve over time.

Specifically on Petition 872, the proposal that councils have to demonstrate an undeniable educational and social benefit for closure is simply unworkable. Councils certainly do recognise that educational and social factors are first and foremost in all school estates decisions and this is re-emphasised in our guide. Value for money and economies of scale are considered, but are far from being the key drivers in decisions. Only councils can truly make informed long-term decisions based on all the pertinent factors that affect education provision in a locality. Such decisions are seldom universally popular, but councils take these difficult decisions to ensure that provision is maintained at a high standard and further improved in the years ahead.

The 60% Rule

The so-called '60% rule' was not considered an appropriate topic for COSLA's guide. Once again, the non-prescriptive nature of the guide is such that it was considered best to avoid any misleading references to this 'rule'. In remembering that this guide is intended entirely for councils, we are confident they are well aware of the status of this 'rule' already. Councils use a range of factors to inform decisions on their school estates, of which occupancy levels is just one.

Education Committee Discussions – 13th December 2006

There are a number of points of clarification I would like you to relay to the members of the Education Committee.

Firstly, I'd like to raise concerns at the tone of some of the comments made by members of the Education Committee regarding the COSLA Good Practice Guide. I am sure that the Committee recognises that some schools are unsuitable for 21st Century and there is a constant need to review, revise, and renew school estates.

I'd like to draw attention to reference made by several members of the committee to outstanding questions awaiting a response from COSLA. I can categorically state that COSLA does not have any such correspondence from either the Committee, individual members of the Committee, or the respective petitioners that require a response on any of the points raised. It is alarming that the public record of a Parliamentary Committee reflects a great deal of criticism of COSLA over outstanding issues that have never been raised with us. Your letter is the first contact we have had.

The Committee raised the issue of Ministerial endorsement for the COSLA guide. To clarify, the former Minister sent a letter to all councils at the time it was published, advocating that they use the guide. This would seem a very clear endorsement. The confusion has perhaps arisen from Mr Peacock declining the invitation to write a foreword, insisting it was not appropriate to do so in a COSLA document. Members of the Committee appear to have accepted the erroneous information provided by the Petitioner to PE 872.

Finally, I wish to re-emphasise that COSLA's good practice guide is intended for our member councils. If the members of the Education Committee wish to offer suggestions on the content of the guide, that will be gratefully received. However, COSLA will retain the right to accept or reject comments from third parties, depending on whether or not we deem them appropriate for use by our members. I hope this letter clarifies some outstanding issues.

Yours sincerely,



Councillor Charles Gray
COSLA Education Spokesperson



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Our ref:

8 February 2007

Dear Iain

SCHOOL ESTATE MANAGEMENT

Thank you for your letter of 19 December conveying your and the Committee's continuing interest in the wider policy around school closures.

I am indeed aware of Peter Peacock's letters of 7 September to you, updating the Committee on this issue, and of 6 October to Education Conveners following the issue of the COSLA guidance. Those letters set out his position very clearly and I concur with what he said, including about the COSLA guidance. I'm not sure that there's anything I'd wish to add at this stage. In my view it is right that Executive guidance and Ministerial expectations should be couched in decidedly *generic* terms. They should focus on the principles of openness, clarity and transparency, which are applicable whenever a Council is contemplating a closure or other adjustment to their school estate and whatever the category of school - large or small, urban or rural, primary, secondary or special. The statutory framework for the consultation process certainly makes no distinction between different types of school.

Comprehensive additional guidance on school closures was issued in September 2004, in generic terms, and I know that Peter resisted calls for specific guidance on particular types of school closure. Nor would I be comfortable at the prospect of promulgating separate guidance on proposed closures of different categories of facilities or schools. Authorities have a statutory duty to deliver adequate and efficient education across the board. The 2004 legislation specifically requires them to take account of children's and young people's additional support needs in exercising any of their functions - including of course the provision of special needs facilities whether in separate accommodation or incorporated in mainstream schools. I do not disagree with you that there may be unique characteristics associated with these facilities, but as authorities are responsible for fulfilling their statutory duties to deliver such education in the first place, I am in no doubt that they are also best placed, and should be relied on to tailor any consultation processes so as to be sensitive and responsive to the needs and interests of the pupils and parents who would be affected by proposed changes in special needs provision.

I hope that this is helpful.

Yours sincerely
Hugh Henry

HUGH HENRY

