



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Education and Skills Committee

**Wednesday 18 November 2020**

**Session 5**



The Scottish Parliament  
Pàrlamaid na h-Alba



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**Wednesday 18 November 2020**

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**EDUCATION AND SKILLS COMMITTEE**

**27<sup>th</sup> Meeting 2020, Session 5**

**CONVENER**

\*Clare Adamson (Motherwell and Wishaw) (SNP)

**DEPUTY CONVENER**

\*Daniel Johnson (Edinburgh Southern) (Lab)

**COMMITTEE MEMBERS**

\*George Adam (Paisley) (SNP)

\*Kenneth Gibson (Cunninghame North) (SNP)

\*Iain Gray (East Lothian) (Lab)

\*Jamie Greene (West Scotland) (Con)

\*Ross Greer (West Scotland) (Green)

\*Jamie Halcro Johnston (Highlands and Islands) (Con)

\*Rona Mackay (Strathkelvin and Bearsden) (SNP)

\*Alex Neil (Airdrie and Shotts) (SNP)

\*Beatrice Wishart (Shetland Islands) (LD)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Richard Lochhead (Minister for Further Education, Higher Education and Science)

Angela Morgan

Karen Watt (Scottish Funding Council)

**CLERK TO THE COMMITTEE**

Gary Cocker

**LOCATION**

Virtual Meeting



## Scottish Parliament

### Education and Skills Committee

*Wednesday 18 November 2020*

*[The Convener opened the meeting at 09:00]*

### Decision on Taking Business in Private

**The Convener (Clare Adamson):** Good morning and welcome to the 27th meeting of the Education and Skills committee in 2020. I ask everyone to turn mobile phones and other such devices to silent mode during the meeting.

Agenda item 1 is to make a decision on whether to take in private agenda item 4 and future agenda items on consideration of the Stage 1 report for the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill. Do any members object? Thank you. No member objects, so we agree to take those items in private.

## Additional Support for Learning Review

09:00

**The Convener:** Our evidence session in agenda item 2 will look at the review of additional support for learning that was led by Angela Morgan. Members know that a decision was taken to ensure that additional support for learning was examined in every relevant area of the committee's work.

We welcome Angela Morgan, the independent chair of the review, which published "Support for Learning: All our Children and All their Potential", on implementation of additional support for learning. I invite Ms Morgan to make a short opening statement about the review's findings.

**Angela Morgan:** Thank you for inviting me.

Allow me to clarify my status. I was the independent chair of the review between October 2019 and February 2020. I submitted the report with its findings and recommendations at the end of February. That was the end of my involvement. I am not involved with or employed by any of the bodies that are responsible for implementation. I am here as the former independent chair, and I am very pleased to be here.

I will highlight the main points of the review. First, it is clear that there is no fundamental deficit in the principles and policy of the legislation and guidance, some of which is very good. The challenge is in its implementation for thousands of children and young people in Scotland.

I was asked to chair the review because there is recognition of the fact that there is a problem. Nonetheless, I found many dedicated, skilled and inspiring professionals who are enormously committed to children and young people who have additional challenges. I found that the system is overly dependent on those individuals, and it is fragmented and inconsistent.

One of the main things that emerged, for me, is that additional support for learning is not visible and is not equally valued within Scotland's education system. It is dealt with as an afterthought, which creates a great deal of the difficulty that arises.

Secondly, there has been an increase in need over the past number of years, and changes in recording should be borne in mind, but the most recent figures show that almost 31 per cent of children in our schools are identified as having an additional support need under the legislation. My challenge to that—which I say a lot about in the report—is about the need to review and redefine

what mainstream education should look like in that context, when so many children and young people are identified as having additional support needs. The events of the past eight months will also have had an impact.

Thirdly, a narrow definition of learning has developed. It has become focused on education and, within that, on attainment and exams. However, if we look at the Education (Additional Support for Learning) (Scotland) Act 2004 and at the definition in the United Nations Convention on the Rights of the Child, the key concept is that of learning for life. That goes beyond the child's life at school, into their home and into their future. That is another factor that underpins the difficulty that I found.

Culture, leadership and mindset are key. I return to my point that visibility and value are not what they should be. The legislation is internationally recognised but, in practice, additional support is consistently seen as an afterthought in policy and discussion. That has even been the case in the past months of planning for dealing with the pandemic.

That has a number of consequences, such as a lack of recognition that some groups of children are eligible for support under the legislation, and competition between children and groups. That is nobody's fault and is certainly not the fault of the children and their parents; it is a consequence of pressures.

Resources were not an area for me to look at, but it was not credible to write the report without commenting on them. Given the increase in need and the pressures on public bodies' finances in past years, which we all know about, resources are an issue, which is why I made a recommendation to Audit Scotland.

The resources situation means that other public bodies are struggling to play their part. I talked about learning for life, which goes beyond education and applies across local authority provision and to partner bodies including health services and community services. There are issues with accessibility and the thresholds that are presented to children and young people, and there are issues for school staff who seek to access partner input.

Complex challenges underpin the difficulties for children and young people and for teachers, who want to work positively with them. I return to my earlier point that there is a challenge in that we look at individual children or individual groups of need rather than at a systemic problem.

I found a general recognition and acceptance of an embedded and difficult problem that is a bit of a cycle of despair—it involves the ability to define needs and a challenge in deciding what to do,

which is why I shaped the recommendations around levers. That will bring the issue into the sphere of political and public debate, which will keep it visible, demand difficult and challenging conversations with high-level leadership about accepting the difficulties, and require honest discussion with parents, children and teaching staff. Having seen the commitment and care from staff in schools and from other staff, I know that there is enthusiasm to develop such an approach. I hope that that is enough, as a starting point.

**The Convener:** Thank you for your introduction. We will move to questions.

**Kenneth Gibson (Cunninghame North) (SNP):** The Standards in Scotland's Schools etc Act 2000 introduced a legal presumption in favour of children being educated in mainstream schools. Over the years, teachers have approached me about that subject, on which I have had correspondence with the Cabinet Secretary for Education and Skills. Some teachers in areas of deprivation feel that the proportion of children with additional support needs in classes is so high in comparison with the proportion in more prosperous areas that it is making closing the attainment gap difficult. Even with the support of classroom assistants and specialist teachers, teachers feel that it is difficult to teach children with so many different needs in one class, which is having an impact on their morale and on their ability to educate children.

Additional support needs vary dramatically across the spectrum. Your report says that 30.9 per cent of children and young people have such needs, which vary from fairly mild to quite severe. Should the policy of mainstreaming be revisited? If so, which categories of children with additional support needs should that involve? If not, and given the resource constraints, how can we best support teachers in the classroom who have a high proportion of young people with additional support needs?

**Angela Morgan:** The two exclusions from my review were consideration of resources and review of the mainstreaming policy, so, if you will bear with me, I will be careful in how I answer that, because it was not a question for me to consider.

I recognise Kenneth Gibson's description. I heard about the issue from many teachers who have difficulty with the range of challenges in the classroom. Some people have home problems, some have neurodiversity problems and others have physical problems, and there are challenges in meeting all those needs. I come back to the point that I made briefly about the need to review what mainstreaming looks like, in the light of how children are now rather than how they might have been in the past.

I do not know what the assumptions were, when that legislation was first implemented, about the number of children who would have needs. I did not have time to consider that, and it was not a focus for me. Obviously, the categories have changed. However, the system is bursting at the seams—I use that term because it was said to me.

The first stage would be acknowledgement of that, and transparency on and discussion about the challenges. Among all the people I heard from, I found generally that they felt that they were not listened to. That came from children and young people, parents and carers, teachers and some senior leaders. There is not an easy fix, especially in a world of increasingly pressured resources, but the starting point has to be an agreed understanding that there is a significant difficulty.

The concept of mainstreaming to incorporate almost a third of our children has to be redefined to consider what that actually means. It is not just about buildings; it is about skills and the expectations of parents and carers, and it is about seeing them as partners. There is a difficulty in picking out recommendations, which is why I said that all nine recommendations need to be considered.

I apologise for going round the houses in answering the question. The issue is not about the policy of mainstreaming; it is about what mainstreaming has to be, now that so many children come into schools with a wide range of needs that affect their learning.

**Kenneth Gibson:** So, mainstreaming has at least to be re-examined. Your report also says:

“whole groupings identified in the additional support for learning legislation are invisible and have been completely overlooked.”

Which particular groups do you feel are the most overlooked?

**Angela Morgan:** I said that because I found that, even within the system, there is a lack of awareness of the entitlement of some groups. That is difficult, because the guidance lays out a list of groups, but it is not exclusive, because the principle is that the legislation applies to every child, for whatever reason. Therefore, the groupings are examples.

I deliberately targeted people who represent children of Gypsy Traveller families, children and young people who are highly able—people might be surprised to hear that that group is also identified under the act—children of parents in prison and young carers.

The pressures on resources and the need to fight for visibility have meant that some very well-organised groups that represent children with autism have successfully raised the profile of that

issue. I make no criticism of them, but I heard on a number of occasions that there is conflation of additional support for learning children with children with autism.

There is a lack of recognition that other children are equally entitled under the act, including, in increasing numbers, those with social, emotional and behavioural issues, for example. Although the guidance obviously requires judgments to be made about the level and longevity of support, in terms of equality of rights, the legislation makes no distinction between groups.

I return to the point about mainstreaming. If we genuinely start with the child and their needs being at the centre, regardless of how those needs have arisen, the category almost does not matter.

09:15

However, the system is not able to cope with that at the moment, which is why there is competition between groups for attention and recognition. That is entirely understandable.

I heard consistently that all parents and carers want the best for their children. They want them to be safe and happy, to have friends, to be included at school and to achieve to the best of their ability, whether that is in exams or in other ways.

**Kenneth Gibson:** Thank you. I have one more question. You touched on exams. On page 64 of your report, you say that

“The dominance of attainment and qualification results as the measure for success in Scotland’s Education system ... devalues and demoralises children and young people who learn and achieve in other ways, and it devalues and demoralises the staff who work with them”

and on page 22, you say that

“qualifications are not relevant learning objectives for all children and young people”.

What do you feel should replace that measure?

**Angela Morgan:** I guess that I have views on that, but I am not sure that it is for me to say, because that is really part of the response to the recommendations and is a key area of action in the action plan.

I emphasise how important it is that there is no reduction in the expectation that children who can attain through exams will be fully supported, whatever adjustments need to be made for them to do that, because children, in particular, do not want to be defined by their condition or to be defined as being limited by their condition. It is so important to say that.

On measurement, for some children that will be done entirely from their own baseline. It will be about what is important to them. In the context of learning for life, and particularly for children with

lifelong conditions, it is about working with them and their parents and carers to understand what is important for them, and what will maximise their independence and their chance to contribute as citizens in their communities and as members of their families.

I came across wonderful teachers who really understand that but, in relation to measurement through exam numbers and qualifications, they also felt demoralised because their efforts and their work were not visible in the system or celebrated in the same way that the work of teachers who support children to attain through exams is recognised. This is not just about the children and young people; it is also about the professionals who work with them.

The work is a really exciting opportunity, and it can and should involve children and young people, their parents and carers and the professionals who know them well. It is, if you like, a true measure of inclusion on an equal basis.

**The Convener:** Mr Johnson has a supplementary question.

**Daniel Johnson (Edinburgh Southern) (Lab):** I remind the committee of my diagnosis and the fact that I am a trustee of the ADHD Foundation.

Ms Morgan, you mentioned that the concept has been stretched, which is causing pressures. Is the definition of additional support needs simply too broad? I do a lot of work with autism groups, and even they would privately suggest that it is, in that it potentially overfocuses on very-high-needs children with autism to the disadvantage of high-functioning children with autism.

**Angela Morgan:** Again, that was not part of my remit. I think that, in a world of limitless resources, it would not be, but we are never going to be in that world. I need to answer in a different way. The principle of the legislation, and of so much of the guidance, is about early intervention and about prevention of barriers and difficulties. It is absolutely as legitimate to invest in children and young people who have less-complex problems, because doing that will enable them to maintain independence in their learning.

Unfortunately, because of the current pressures in the system, that seems to be very difficult to achieve. I heard a lot from parents and carers about children who suffer greatly in the school environment but do not express their distress in a way that impacts on the class. It is just a reality that those children are probably less likely at the moment to receive the input that they need, especially when they do not have parents who advocate strongly on their behalf. That emerged very clearly. Many parents told me that they worry about the kids who do not have a pushy parent or one who is prepared to fight like they are. Those

are realities in the system, and I have laid that out in the report.

Personally, I would not and could not say that the definitions are too broad. I think that the fundamental definition is that no child should be prevented from fulfilling their potential by any sort of barrier. Achieving that is an aspiration that we absolutely should adhere to.

**The Convener:** I am intrigued by a turn of phrase that you used, Ms Morgan, in relation to a recognition of where children are at the moment. Obviously, prior to mainstreaming, we had more specialist schools and specialist provision. Do you mean by your statement just that the setting has changed for children or that they are picking up far more additional support conditions because of better recognition and diagnosis in certain circumstances? I am trying to understand the concept a bit better.

**Angela Morgan:** I am sorry not to have been clear, convener. I was talking about how the lives of children and young people are now, with all the pressures that have been well rehearsed over the past years, such as social media, the higher rates of mental distress that that causes, and increasing inequality. The complexities of children's life need to be recognised and the service design needs to follow from that in everything from buildings to the types of skills that teachers have. That is why I made a recommendation on that issue. The edges between home and school are also particularly pertinent as Scotland plans for how education will look during the pandemic.

**The Convener:** Thank you. That certainly helps.

**Alex Neil (Airdrie and Shotts) (SNP):** Angela Morgan, I congratulate you on the very good report. [*Inaudible.*—that the two main areas of those definitions were left out of your remit, because it seems to me that it would have been much more sensible to have included them, so you could have looked at the question as a whole. However, we are where we are.

Leading on from what Daniel Johnson and the convener have asked, I have a question about the issue of definition. It is clear that the grouping of additional support needs covers—as you have said, and as you say in the report—a very wide spectrum of children's different needs. At one end of the spectrum are children who essentially are gifted but for whom the challenges of that require them to get additional support. At the other end are children who have, for example, neurological disease or conditions, physical conditions or sometimes a combination of physical and mental health issues that need to be addressed.

You talked about inconsistency, and I totally agree with what you said. You also talked about afterthought. When local authorities are lining up



cuts in education, ASN workers are often the first to go or to be downgraded, which is absolutely appalling. Is there a need to look at the ASN group? I realise that there is a need to look at the other 70 per cent and at the definition of ASN. Nonetheless, is it not the case that, in reality, the ASN group is not a homogeneous group but a disparate group of pupils who have disparate requirements?

That is a basic point. If there is only one ASN worker in a school, they might be dealing one day with a kid who has one set of conditions and the next day with another kid who has a different set of conditions. Do we need not just more consistency and forethought with regard to the needs of those pupils but more specialist services for those who need them?

**Angela Morgan:** There are a few points to make in that regard. First, whether or not we have the legislation in place, those children are in our communities and schools. We can see the legislation as a compliance framework—which it partly is, because it specifies the rights of children and young people and places duties on others—or as underpinning the aspirations of all children to live their best lives. I hope that that vision is our starting point.

I would answer your question by saying that, yes, there are disparate groups within the ASN group. It is important to highlight that even children who have the same defined condition are all individuals. We cannot say that all children with a certain condition are the same. Children and young people do not want that, and it would be a mistake to imply that that is the case. They are all individuals, and how their condition plays out for them will depend on their personality, character and aspirations, and on the hopes of their family. That is really important.

There is a tricky balance between inclusion and specialism, and I comment on that in my main report. We need both—we need to be careful and understand that, if we were to develop a different concept for mainstreaming that was more genuinely inclusive, we would need to ensure that the specialism was not lost. I heard that a lot in researching my report. Children who have certain conditions or challenging conditions need specialist skills and knowledge, and some of that has undoubtedly been lost.

In theory—I comment on this in the report—the getting it right for every child framework has within it all the concepts and guidance to drive an inclusion agenda for all children as individuals. However, I was told by the people whom I spoke to that the aims of that agenda have not been fulfilled. That is undoubtedly partly a resource issue.

I agree that the definition of ASN is wide. Underneath that, however, the key issue is that 30.9 per cent of children and young people have been identified under the 2004 act—broad as it is—as having ASN. Even if the scope of the act was narrowed, those children would still have needs and entitlements and a right to flourish as citizens in our community. That is the issue that needs to be addressed.

**Alex Neil:** Within that, is there a need to drill down so that we can get more of a national picture of how that 30 per cent is made up? I am thinking about individuals' conditions and why they need special support. In particular, what type of support do they need?

A wide range of support is required, even just among those who are on the autism spectrum. As Daniel Johnson said, there is a wide range of conditions and a wide range of different requirements to support those kids, yet it seems that we are taking a one-size-fits-all approach to children who have special support needs.

To link that in with another theme, it seems to me, after 22 years of experience as an MSP, that there is still very little joining up between additional support needs in an education setting and key services such as child and adolescent mental health services. Parents are often becoming frustrated because there is not a joined-up approach and nobody is looking at all the needs of those kids and co-ordinating the approach as it should be co-ordinated. Do you think that a much more integrated approach than we presently have is needed?

09:30

**Angela Morgan:** Yes. My answer to both of your points comes down to the issue of what we measure. What I am reflecting back—as I have done in the review—is that not all of what we measure is useful. We measure a lot of compliance with processes—I specified planning as an example of that. Of course, it is important that individual plans are completed within a timescale, but those plans are of no value if no action follows. I heard that repeatedly from all parts of the system. Again, there are resource issues in relation to that.

The issue of joined-up services is a challenge not only for the current period but in general. If we consider learning for life and what type of support that means providing for a child beyond formal education, other agencies must and should be involved in that, and that is an on-going challenge. If performance measurement is driven by looking at improvements in the lives of children and young people and building up from that, what processes do we need and how do we know that they are

working in a framework that is about constant improvement?

I contrast measuring things with asking whether we are reaching the required standard and continually asking the right questions: “Are we doing this as well as we can?” “This is challenging and difficult, but are we using our resources in the right way?” “Are we listening to the staff, the children and young people, the parents and the carers? Are we hearing what they are telling us?” “Are we working in partnership?” “Are we acknowledging that this is difficult and there are not easy solutions?” It is about mindset.

I hope that, in a roundabout way, that answers your question.

**Alex Neil:** The Minister for Further Education, Higher Education and Science will appear in the evidence session after this one, and we will talk about ASN in schools. It strikes me that the principle of ASN also needs to be much more embedded in higher and further education, because it is often assumed that a lot of ASN people will not go on to higher and further education, yet many of them are as capable of doing so as anyone else. One of my first cases as an MSP was a 16-year-old kid with autism who eventually went to work on North Sea oil rigs. He had a brilliant mind, he was brilliant at computer work and he was one of the most intelligent people that you could ever meet, but an assumption was made about him because he had autism. That was partly due to ignorance, and I do not think that we have the level of ignorance that we had nearly 20 years ago—the situation is better now, but I do not think that it is as good as it needs to be. It is the transition from school to post-school, into higher and further education and the jobs market, that needs to be addressed. When these kids reach 16, 17 or 18, the ASN issue falls off a cliff.

**Angela Morgan:** Yes. I absolutely agree. There is recognition of the fact that the transitional edges between primary and secondary, and then between secondary and further and higher education, are the points at which children and young people are lost—particularly those with certain conditions, who find the school environment challenging.

I had to be strict in my brief and not overlap too much into grant-aided special schools, because the Doran review process is considering those schools. However, I know from my experience that some of the expertise that those schools have could be much better shared across the statutory sector. There are all sorts of reasons why that relationship does not work as well as it should. There is experience and expertise in how to do that. Those young people have the right to flourish at a high level, and there should be no barriers to expectation because of a label that has been

attached to them. We should have got past that, but it unfortunately still holds young people back.

**Ross Greer (West Scotland) (Green):** Let us return to the points that were raised regarding the consistency of data. When the committee has scrutinised ASN data, we have repeatedly come up against inconsistencies between local authorities in how pupils are diagnosed, which result in significant differences in the data that local authorities can present. The example that is often used is the contrast between West Dunbartonshire and North Lanarkshire, which are demographically similar. More than a third of children in West Dunbartonshire have diagnosed additional support needs. In North Lanarkshire, when I last checked, the percentage was still in single figures. It is inconceivable that there is such a difference between those two councils.

Local authorities take different approaches to diagnosis, which results in incomparable data. Did that issue come up in your review?

**Angela Morgan:** That came up as a practical problem rather than as a data issue, and it affects the 2004 act being implemented as it was intended to be. The guidance outlines key processes for identification, response and review—that is not the exact language—and I found a significant misunderstanding across the board that a diagnosis was required for there to be identification and response. That happened even in the face of children’s behaviour and experiences and of their families’ experiences, which made it clear that early intervention would be beneficial.

I am not ascribing blame; that is part of the reality of the need to ration scarce resources. Thresholds start to develop, and there is a threshold around diagnosis that often becomes the first fraught point in the relationship between parents and carers, on one side, and education bodies, on the other. It could be difficult to overcome that. They get stuck in a loop, and the six months to a year that they wait for the help that they need is a significant part of a child’s life.

The purpose of the diagnosis is to enable support and input. That understanding is critical for some children. However, I heard repeatedly that, for others, the diagnosis was not the point. The need was clearly there and could have been met.

All of that translates into data. That is a feature of the system, and it is why it is so important that there is honesty and transparency about the challenges. I found a blame culture around parents’ and carers’ expectations, which we must be careful about. All public services must manage expectations and have honest dialogues with their community and their public, but we cannot blame parents and carers for wanting the best for their

children and fighting for that. All the professionals to whom I spoke acknowledged that they would do the same if they were in the same position.

**The Convener:** I have a supplementary question that is based on some of our past work on ASN. That work highlighted that, in order for a case to go to a tribunal to challenge the support that someone is receiving, a child support plan must be in place. However, I have come across instances in North Lanarkshire of plans being in place but being called something different, which has left parents unable to challenge the support that is being offered. Did you find geographic discrepancies in how parents used or understood child support plans?

**Angela Morgan:** Yes. In the full report, there is quite a big section on that. I found that there was significant misunderstanding, not just among parents and carers but also among professionals, about rights and entitlements and about when the child support plan should be used. The interaction of that with child's plans and other types of plans makes it a very confusing landscape.

It is another area that becomes a real focus of difficulty and mistrust. However, for me, the point of the plan is to ensure that there is clear thinking, commitment and accountability in the delivery of help and support, whatever that means. All too often, an awful lot of energy has gone into planning rather than into providing the support, even when the plan has been formulated. We get stuck on processes and, in the meantime, children are not flourishing as they should. That is why I was talking about almost stripping it right back.

There is a separate piece of work being done around the review of child support plans. I made a recommendation that that should not be looked at in isolation and that the whole context of planning should be considered. It is absolutely vital that the rights and entitlements around that are clearly understood.

Underneath all that, good communication and trusting relationships would resolve many of the difficulties. Sometimes, there is a temptation not to provide information to parents and carers so that they do not ask for things. However, there are then misunderstandings about what some of the rights and entitlements mean. It is critical that good information is provided to everybody, including the professional staff who work with families.

**Rona Mackay (Strathkelvin and Bearsden) (SNP):** You have spoken about there being an element of parents and carers feeling that they are not being listened to and that there are problems with the visibility of issues. I was struck by a phrase that you used: "cycle of despair". Parents from my constituency who have contacted me have said something similar. What do you think is

the fix for that, if there is one? How best can education authorities engage with parents and carers of children of all backgrounds with additional support needs? What are the barriers to good communication between parents and carers and teachers? In my experience, it is not usually the teachers who are a barrier; it is the system. Families can feel that they are being left out and in the dark.

**Angela Morgan:** First, there is a real misunderstanding about listening: people think that listening means agreeing, and that can be a barrier. There is a fear that, if we listen to people, it will mean that we agree and we will give them what they ask for. That is not the reality. What I heard from parents and carers was that they want to be respected for the expertise that they have in their own life and their child's life. They want that to be heard so that there is an equal dialogue. Teachers and other professionals also want to be respected and acknowledged for their expertise. Listening is really simple, but it is also not so simple. It is not embedded in our system.

The second thing poses a bit of a challenge for the teaching profession. For some parts of the profession, there is what I would describe as a slightly outdated idea that being professional means being the holders of expertise. That has been a challenge across the whole of our public services. There is so much discussion and good work being done around co-production, consultation and working in partnership but, in some parts of the education profession, it is still work in progress. I stand to be corrected, but that is what I saw and heard. It is no threat to the expertise of teachers for them to listen to parents and to hear what parents and carers have to say.

When I saw this work well, there was a genuine openness and willingness to say, "I have never thought of that before," or "We are not absolutely sure what is the best way to work with your child. Their problems seem to be complex, so let's work together," and "What works well at home? This is what works well at school." Listening and respect go a long way towards building trust. That is the first barrier. As the committee will have heard in the testimony from the independent care review, trust in relationships and communication lies behind all good practice.

09:45

To take things forward, we need to sit down with parents and ask them honest questions. Where there are good relationships, it is possible to provide support and to challenge. There are conversations that are difficult. I heard that the starting point for parents was to say, "My child needs a full-time pupil support assistant." However, that is not going to be possible. It may

be appropriate, the right thing and necessary for some children, but it is not possible to provide that for all children. That is where asking and listening to what parents are worried about is important. Teachers need to ask, "What are the triggers, what upsets the child and what can help? Is an item helpful, can I say something, what can I do?" It is a dialogue.

It also takes time. Teaching and other staff need time to have those conversations with parents and carers. Parents and carers also have some fantastic advocacy and support groups—there is a lot of expertise that can be offered as the process plays through. Some parents and carers do not engage in that, for whatever reason. I know from my past experience as the head of Includem that some parents and carers do not trust any part of authority or the system and feel that they have had a difficult time. A special effort needs to be made to engage with them, and many third sector agencies could be the gateway to that.

The ethos should always be to ask whether we are doing this as well as we can and whether we can do it better. Being open and not being defensive is the only way to achieve improvement.

**Rona Mackay:** I think that every parent that I have spoken to would whole-heartedly agree with that: they are looking for honesty, being included and working together.

When you engaged with parents and carers during the review, which presumably crossed a wide socioeconomic background and touched various different groups, was there any particular pattern to your findings? Did you find any links or patterns among groups?

**Angela Morgan:** I certainly heard the same thing time and again. I am told that politicians' postbags are full of letters from parents, so you and your colleagues have probably heard all those things. I heard a lot from parents that the starting point was trust and belief in public sector services. They felt that, if they approached the services for help, they would get a response. It was sad that there was then a real disappointment that the response was not as they had expected, and that disappointment developed into anger and frustration and a loss of trust in the relationship. That was the pattern regardless of background or the challenge that the child might have been facing. That was the common experience for parents and carers. It is really important to talk about carers, because there are so many kinship carers and foster carers who are involved in this world, and sometimes they get overlooked.

Did that answer your question?

**Rona Mackay:** Yes, it did. I also wonder whether, from your interaction with them, you

found any marked difference between affluent and less advantaged areas.

**Angela Morgan:** No—I think not. The differences that I found in how parents felt were linked to leadership on policy and service delivery in those areas. I have been careful not to name and shame in the report because I wanted people to be really honest. I have also made no reference to the specific areas which we might call further advanced as to name them would mean that other good areas would feel overlooked. However, there was a difference that was linked to leadership.

The most powerful question that I asked in the review was, "If the situation was really difficult but then got better, what made the difference?" The answer that I heard most consistently from children, young people, parents, carers and professionals was that someone came on to the scene who really cared and understood, was open to listening and wanted to make things better. That was why having a leadership style that is open, questioning and non-defensive is so crucial to making progress.

**Daniel Johnson:** Some of the points that I was going to raise have been covered by Rona Mackay. Before I ask about associated matters, would Ms Morgan agree that the point about the process feeling like a negotiation for parents masks much bigger problems? It is not just that it is time consuming or difficult; there are real human consequences for families who are going through it. Does there need to be much more cognisance of that, both as regards the impact for families who go through such negotiations and also—*[Inaudible.]*

**The Convener:** I am afraid that we have lost Mr Johnson. We will go on to Mr Gray's questions and will come back to Daniel Johnson afterwards.

**Iain Gray (East Lothian) (Lab):** Good morning, Ms Morgan. In your introductory remarks you referred to the restriction that was placed on your review's remit, in that you were examining the position solely within existing resources. I noted what you said about feeling that it was not credible to say nothing about resources, so you made a recommendation that Audit Scotland should undertake an audit. Will you say a little more about the extent to which you felt that that restriction on your remit prevented you from saying what you felt you should be able to say?

**Angela Morgan:** I am not sure that it did. The timescale that I had was effectively four months, working part time. Also, the review involved just me. I did not have a big team of people, so there was no way that I could have delved into such matters. As I said earlier, the situation is about not just resources for education but for all local authorities and their partners as they should apply

to the concept of learning for life. If we consider resources in that way, that involves a much bigger picture.

It would have been easy to say, "It needs more resources." However, the problem is not just that. The area does need more resources, although I cannot say how much more. However, we need to be clear that we are using our existing resources in the right way. I will give an example from my report that shows how we ensure that our current resources enhance inclusion rather than reinforce exclusion.

On the question of how we use pupil support assistants, I heard about a distinct difference, which links back to mindset and the belief of leadership teams about whether all children with all types of needs should be included in classroom settings. That distinct difference is between, on the one hand, pupil support assistants being incorporated into the teaching team and being fully incorporated into the life of the classroom in order to maintain children within the classroom setting as part of the group and, on the other hand—according to stories that I have heard—pupil support assistants who were being deployed to contain children out of classroom settings. On paper, those children were in school, and the attendance box was being ticked for them. We could see the number of pupil support assistant hours. However, if you do not understand the effect, the impact and the purpose of those two different uses of the same amount of time, you cannot really understand whether the resources are being used in the right way.

I have heard similar points about hubs and buildings. For schools that have hubs, it appears in theory that children are part of the school life, but they are in fact entirely contained within the hub and, as far as the experience of those children is concerned, they might as well be 50 miles away.

In other areas, despite the geographical distance, the mindset was that the children were part of the school community and life, and every opportunity was constantly sought to maintain that. That illustrates the complexity around resources.

It is important to acknowledge that resources are a real issue, without disguising the fact that we do not have a community that is fully signed up to the concept of inclusion. This is really uncomfortable, but I heard directly from some professionals, as well as hearing stories indirectly, that the whole concept of inclusion was not being fully embraced. There was no belief that the mainstreaming or inclusion of all children should be done. Teachers said to me, for example, "I should only be teaching the children who can achieve through exams." They were quite up-front about that—that was their view. I heard from other people who had a belief in that sort of inclusion

but, because they had not seen it being delivered in practice, they had lost heart and had become cynical. That is very sad, but it is a reality. Those are the uncomfortable truths, and we have to confront them. They capture people's experiences.

Returning to the point about listening, those teachers to whom I have referred want their experiences to be heard just as much as the parents and carers.

The short answer to your question about the restriction of our remit, Mr Gray, is that, while it would have been tempting to have disguised some of the underlying issues, the question of resources must be considered, and I hope that Audit Scotland makes it a priority. It is really important that it does that.

**The Convener:** We will now try Mr Johnson again.

**Daniel Johnson:** Thank you. I apologise to everyone. Somewhat ironically, I have much greater issues with BlueJeans connecting properly when I am in Parliament than when I am at home. I do not know whether you touched on my previous question, but I will move on anyway.

One thing that I have picked up is that, although the concept of mainstreaming and the general understanding of ASN is broadly accepted, and, indeed, embraced, by professionals, there might still be a problem at a local authority level. I have sat through meetings where the schools are seeking to facilitate the transition from primary to secondary and have been asking for additional resources because they recognise that they need additional help in order to make that happen. Parents have been asking about that, too, but local authorities have said, "I'm sorry, but you don't meet our particular definition to enable that to happen."

Before this meeting, confidential correspondence from parents that outlines some similar issues was shared with the committee. Local authorities are not having complaints against them upheld because, in a sense, they have done nothing wrong according to their own processes, but children are ultimately not getting what they need. Is the problem that local authorities continue to take very definitional-based approaches? If so, what can be done to resolve that?

10:00

**Angela Morgan:** I certainly heard that scenario described quite often. I heard quite a lot about the fractures in the relationships between schools and the authorities. Some of the relationships were incredibly positive and showed leadership across the whole structure, but, in some cases, the battles of parents and carers were mirrored in

different schools and their authorities. I have to be honest about that.

The issue comes back to data and measurement. What is measured and talked about is what is seen as important. I am afraid that I do not know what elected members see in relation to local authorities, so I cannot answer to that, but I was told that the focus on measuring processes means that the real issue of whether children are receiving support is disguised. At this time, it is understandable that local authorities are having to ration resources and decide what the priorities are. It seems to me that, if this area of policy is not visible and is not showing the reality of what is happening, it will remain a lower priority. That is quite a basic overview. I heard that the issue was a source of conflict.

Mr Johnson's question is about human consequences. Strain and upset for parents and carers are caused by their kids not being included in school outings and school photos, for example. We talk about attainment and high-level things, but there is more to being at school than that; it is about being there, making friends and feeling part of something. It is a cause of real sadness for our children and young people.

We should not underestimate the human impact. Teachers and those in leadership teams in schools are humans, too. I heard very similar things said about their upset and the emotional impact on them. We should recognise the human consequences all round. That will not result in a solution, but being listened to, heard and taken seriously is always the starting point for solutions.

**Daniel Johnson:** Like many other members, I was very struck by the "Not included, not engaged, not involved" report, which was compiled by Scottish Autism, the National Autistic Society Scotland and Children in Scotland. One of the key issues that the report looked at was informal exclusion, whereby, in essence, children are sent home but that is not formally recorded. That prevents them from having what any of us would reasonably expect to be a full education—in other words, a child being taught for the full day to the extent of their ability.

I did not note that issue being explored in the executive summary of your report, but I am very interested to know what insight you have on the issue, its prevalence and how it can be taken forward. My view is that there needs to be much more thorough examination and investigation of the extent to which children with additional support needs in Scottish schools are being informally excluded.

**Angela Morgan:** Yes, I heard that, too. The area overlaps with other pieces of work that are being taken forward, so I did not focus on it, but I

heard those stories and the perspective of parents who have had to give up their employment because of the issue, who pointed out that, as well as the consequences of exclusion for them and their children, there is an economic impact on Scotland. There is something about taking an investment approach in this regard. Finance is not the key driver, because this is a rights-based piece of work that fits with Scotland's aspirations. Nonetheless, a failure to invest has economic consequences.

Again, data is essential. There must be transparency. It is about having an improvement mindset and a real understanding of the challenges and what is happening and why. The issue needs to be visible. A supportive approach, rather than a compliance approach, is needed. People need to be supported to be honest about it. I know that I keep saying the same thing, but it is about being realistic and asking why such exclusions are happening. That is where support and challenge come in—attitudes will need to be challenged if staff lack specialist input, knowledge, practice development and confidence. The issue needs to be fully understood.

**Daniel Johnson:** Thank you. I will stop there while my connection is still good.

**Ross Greer:** Ms Morgan, I am interested in the role that inspections play in ensuring that there is adequate additional support provision in mainstream schools and I want to ask about the role of Education Scotland's inspections, but before I do so, let me follow up Daniel Johnson's questions about local authorities, because you made some interesting points in that regard. Do you get the impression that authorities are consistent in how they assess the adequacy of provision in their schools?

**Angela Morgan:** I am not sure that I can entirely answer that. I think that a group within the additional support for learning implementation group is looking at the action plan. That will be detailed work, which I welcome, because the approach that is being taken is rooted in improvement science, which, as I said, challenges the compliance approach.

I do not know the answer to your question, but I am not sure that consistency is the key thing at the moment. The key thing is that every local authority brings the issue up its agenda and sees it as a priority—whatever that needs to look like. I think that the work on a much better performance measurement framework across local authorities will help to drive that. I would rather not try to provide detail that I really cannot provide.

**Ross Greer:** Fair enough. Thank you.

On Education Scotland's school inspections, I have always had the impression that assessing

whether a mainstream school has adequate additional support needs provision is not really part of the process. It is there nominally, but it is not part of the process. Is the role of our national education agency in that regard something that you have picked up in the course of the review?

**Angela Morgan:** A lot of good work is being done around that in Education Scotland, through its inspection role and its practice development and improvement role, and there is some potential in that regard.

Overall, what I heard was that, with regard to the four key priorities of the inclusion framework, which I cannot reel off at the moment, the focus tended to be too much on attainment and perhaps not quite enough on the other three priorities. Having said that—this relates to one of the recommendations that was made—there is clearly potential within the regional improvement collaboratives, which are primarily focused on closing the attainment gap. Again, we create these silos, but there are overlaps between the work on the attainment gap and the work around additional support for learning, and some of the same themes apply around individualised approaches and building practice. Therefore, there is a lot of scope for Education Scotland to support and drive that.

I come back to the point about partnership and collaboration and listening to children and young people, parents, carers and teachers in developing frameworks over time. Education Scotland has a really important role to play, and it is obviously part of the additional support for learning implementation group, so it is a key player in overseeing the implementation of the action plan.

**The Convener:** Mr Greene is next.

**Jamie Greene (West Scotland) (Con):** Thank you for letting me ask a few extra questions, convener. A lot of ground has already been covered, but I will pick up a few points of interest.

I am sorry that I am probably putting you on the spot somewhat, Ms Morgan. I do not want to use the term “quick fix”, because I do not think that anything is quick or simple in this area, but we have been looking at things that the Government could introduce or do now, so are there any short-term measures, as opposed to big-picture, long-term changes, that would make a difference? At a very local level, are there things that schools, teachers or local authorities could do or ask Government for that would make a difference, especially in the context of Covid and the difficulties that pupils with ASN have faced over the past eight months?

**Angela Morgan:** My first answer to that is actually about what you and your colleagues can do, which is help to ensure that additional support

for learning is not an afterthought in discussions around education, whether they are about implementation during Covid or beyond. Again, there are recommendations in the report on the national performance framework and the higher level strategic education bodies. The leadership starts with your demonstrating that and asking those questions in a way that is supportive and that, as far as is possible in a political setting, achieves consensus. During the review, it was very encouraging to work in the steering group with Scottish Government, the Convention of Scottish Local Authorities and the Association of Directors of Education in Scotland, because there was a positive consensual approach to recognising that we have difficulty and that we need to find a way to resolve it. That is the first thing.

The change in measurement and the discussions around that will, in itself, increase visibility of the issue in local authorities and partner organisations. My aspiration was to at least find an action that would achieve and maintain visibility, so that, in 10 years' time, our future colleagues are not sitting around the table again, saying, “We need to have a look at that.” It is about saying, “We now recognise that we are here; let's start doing something about it.”

10:15

There needs to be support and leadership around the work with parents and carers. People can choose to listen to one another and be respectful. It sounds easy to do, but it is not always. We know that it is sometimes difficult for public services. Again, leadership and support could make a big difference quite quickly. I use the term “cycle of despair”, which sounds really strong but I think that would make everybody feel a bit better. There is so much time and energy being spent on upset and conflict at the moment, which would be much better spent on doing what everybody wants to do for children and young people. It is about mindset and culture change, and permission to do it.

**Jamie Greene:** That is helpful, thank you.

I know that the presumption to mainstream was not in your remit, but it is clearly an integral part of the issue, in the sense that we deliver education to the broadest group of people using the resources available. I was struck by one of the submissions to the committee. I will not name who made the submission, as I do not know whether they wanted that to be public or private. The submission summed it up quite nicely by stating:

“Parents are having to make difficult choices, choosing between having their child's educational/medical/therapy needs met in a special school, or having social/peer needs met ... in their local school.”

The premise of the guidance that was issued in the early 2000s around the presumption to mainstream was to give parents the ability to choose. It seems as though choice has translated into compromise for some parents, because they now have to choose knowing that one option or the other will not deliver on all the objectives that they want to achieve for their child. I go back to the premise that mainstreaming will work only if the education is delivered in a place where the students with ASN have peers who are prepared for and understand that, where the teachers are supported and where there is a positive ethos in the classroom environment. In your experience of doing the report, do you think that that is universally the case, or is there still some way to go, even almost 20 years after the policy was first mooted?

**Angela Morgan:** Yes, there is still some way to go. I come back to some of the underlying challenges, including mindset and, undoubtedly, resources.

On the point about choice, processes that were previously about enabling an early intervention have become thresholds and require failure. It is all part of the same pattern in relation to the boundary between mainstream and specialist. I did not have too much time to reflect on the point due to the Doran review, but it is important that experience is shared.

Your point about the whole classroom environment and other children is important. In the report, I have said that it is really important that our adults of the future see how inclusive we want to be as a society, and how the adults in their classrooms role model the inclusion of children who might be different. There were different experiences around that, and I cast no blame. Teachers need support in that regard. I have done a whole section on teacher selection, development and on-going practice development, which is not to be underestimated.

I think that we tend to assume that people automatically have great communication, relationship-building and mediation skills, but I do not think that we should assume that. We do not assume that in part of our care professions. We need it from our teachers and other professionals working with children in other settings, but it does not seem to me that there is sufficient investment in that regard at the moment.

I am sorry—my answer has roamed about a bit.

**Jamie Greene:** That is all right. My final question goes back to something that Kenny Gibson mentioned earlier, in relation to the fact that people's experiences differ quite widely across the country, depending on the demographic make-up of the school and so on.

Before lockdown, I visited a classroom to give a little talk and to chat with the pupils. The teacher said, "I'll just leave you to it," and she did not come back for an hour. Afterwards, she told me that she was just exhausted because, in her class of 33, there were at least a dozen pupils who had very individual needs—in relation to physical ability, learning difficulties or behavioural issues—that required to be handled differently and she had no classroom assistant. She said, "I was just glad that you turned up and gave me a break." That has always stuck in my mind. She said, "The thing that worries me the most is that I am not giving enough individual time to students in the class who could really excel."

We are debating teacher welfare in the Parliament this afternoon, and it is an important part of what we are doing. Teachers are doing their best, but many are clearly struggling. What do you think schools or local authorities could do to make life easier and better for those teachers?

**Angela Morgan:** Again, I recognise what you have described—it matches what I have heard. This takes me into the issue of resources, which is territory that was not part of my brief. The starting point has to be an honest recognition of the challenges. If we are looking at service design, the starting point is what are the needs and the characteristics of the range of children in our schools, and what are the skills that professionals—teachers and the staff around them need—need to ensure that teachers can perform as well as they are able?

There are some fundamental questions that need to be asked. I have consistently heard that the expectation that we can just have mainstreaming, with the additional tweaking of additional support, is not working. At the moment, we are tweaking the schools and tweaking the children and young people to make them fit in, but it is not working. The only way to make things work is to acknowledge that starting point and ask what we can do to make it better. We must look at reality, find ways to measure the right things and listen to the people who are at the sharp end of implementation and are interpreting the legislation and policy. That might mean that we are just inching forward, but we must accept that, although we cannot make things perfect, we can at least try to make things better. What is being done must be grounded in a sense of shared reality. Part of the cycle of despair has involved the fact that there is a bit of denial about the scale of the challenge.

**The Convener:** Thank you for your evidence. It has been extremely helpful. You can rest assured that, having taken the decision to mainstream two areas in our business—additional support needs and care-experienced champions—those issues will be reflected in the committee's legacy report.



I apologise to the committee, because I forgot to cover something under agenda item 1. I will do so now. Does the committee agree to take in private future items on the consideration of our stage 1 report on the Redress for Survivors (Historical Child Abuse in Care) (Scotland) Bill?

**Members** *indicated agreement.*

**The Convener:** Thank you. We will have a five-minute suspension.

10:25

*Meeting suspended.*

10:32

*On resuming—*

## **Impact of Covid-19 on Further and Higher Education**

**The Convener:** The next agenda item is an evidence session on the impact of Covid-19 on further and higher education and higher education funding. I welcome Karen Watt, the chief executive of the Scottish Funding Council, and Richard Lochhead MSP, the Minister for Further Education, Higher Education and Science in the Scottish Government.

I invite the minister to make a short opening statement.

**The Minister for Further Education, Higher Education and Science (Richard Lochhead):** I hope that the committee can hear me. I thank the committee for the opportunity to give evidence.

We are all aware that, since we last met, in September, much has happened in our higher and further education sectors. Our colleges and universities, unions, skills agencies and public bodies have worked with determination, commitment and resilience to prepare for and then start the new academic year, and young people have responded, first by enrolling in huge numbers in college and university courses and then by overcoming the many challenges of their very different learning environments.

Together, we have all been working to address the impact of Covid-19 across a variety of fronts. Our universities and colleges have worked hard to ensure the safety of staff and students while on campus and in student accommodation. Yesterday, it was announced that further restrictions would be in place for some areas. It is important that, whatever level of restriction institutions find themselves in, their students have the opportunity to continue with a high-quality learning experience and that student wellbeing and development is supported.

Turning to the end of term, my statement last week set out the work we have been doing with the sector and with student bodies to provide students with the opportunity to return home to their families if they wish to do so. We will ensure that all students are able to return home at the end of this term and will not be prevented from doing so by any travel restrictions that are in place in their areas.

We are also approaching the end of the European Union exit transition period, with the uncertainties and losses that will potentially bring. We continue to press the United Kingdom Government hard for information on plans and

funding for any on-going horizon 2020 participation or replacement programmes.

At a time when the UK is on the brink of economic recession with the predicted high levels of youth unemployment, we are taking a range of other measures, including increasing the number of funded places for eligible students at our universities. The total number of additional entrants will not be known until early next year, but current estimates are that around 1,500 students have been accepted to a Scottish university as a result of the move to teacher-assessed grades for 2019-20.

It is testament to the success of Scotland's higher education system that, in the middle of a global pandemic, significant numbers of students continue to arrive from overseas.

In all of that, the wellbeing of our students remains crucial. With the Scottish Funding Council, we are recruiting more counsellors in our institutions and extending the National Union of Students Scotland's think positive project on mental health support.

Another positive development was the launch of the young person's guarantee on 5 November. That investment of £60 million recognises the enormous challenges that face our young people. As we all know, colleges support community cohesion and meet the needs of skills provision at all levels. In recognition of that, colleges will receive £10 million from the young person's guarantee, in order to support the reskilling of Scotland's workforce and provide young people with positive opportunities.

Similarly, in October, ministers launched the national transition training fund, by investing £25 million to support people who are affected by Covid-19 to reskill and upskill. Again, our colleges and universities will have a key role in that programme to ensure that it meets the needs of individuals and the wider economy.

All of that was done at high speed, under the most difficult of circumstances. My officials and I, all the agencies, the staff in our institutions and student organisations have been working flat out to help all the sectors get through it. The challenges have been unprecedented and so has the response. It is testimony to the commitment of colleges, universities, staff, unions and students that they have responded positively and continued to teach, research, support, study and learn.

**The Convener:** Thank you. We move to questions from committee members. Minister, at each stage, I will come to you first. You can nominate Ms Watt to come in or, if she wants to come in, she should type R in the chat function.

**Ross Greer:** I apologise to the minister and Ms Watt for the fact that I will have to leave the committee meeting in about 15 minutes.

Minister, what is the plan for ensuring that the return in January to their accommodation of students who have gone home for Christmas does not result in the same spread of infections and mass self-isolation that we saw in September?

**Richard Lochhead:** Thank you for the question; it is on an important issue. We were determined to allow our young people in Scotland to continue with their further and higher education. That is why, at the beginning of this academic term, we worked with all our institutions to allow students to return as safely as possible. At a time of rising rates of the virus in Scotland, there were outbreaks in university accommodation, which were regrettable and difficult for the students who had Covid or had to self-isolate.

At the moment, we are in a much better position. The rate of infection on campuses is very low and, across Scotland's campuses, fewer than 1,000 students are self-isolating. We are turning our attention to the safe return of students after Christmas and new year. At the moment, we do not know exactly what that will look like. We are currently focusing on the safe departure of Scotland's students at the end of this term, if they wish to go back home for Christmas.

When our students return after Christmas and new year, it will be far from normal. We will look at the role of testing and at when and how they arrive. We will give as much clarity as we can to the institutions and students and their families as quickly as possible in the coming weeks.

We have 500,000 students in Scotland; a few tens of thousands live in term-time accommodation, such as halls of residence, of whom nearly half are first years, and that was one of the issues with freshers week at the beginning of this term. We must look at the halls of residence issue, but there is a wider issue of allowing students to continue their education. We have asked the Health and Safety Executive, environmental health teams and public health officials to work with the universities to consider what extra steps we can take to keep people who are staying in halls of residence safe.

**Ross Greer:** I take it from your answer that there is not yet a plan for the safe return of students in January. That is concerning, given that it is weeks away. Are you at least in a position to confirm to us when that plan will be published and announced?

**Richard Lochhead:** We know that people are keen to know, but, because we are in the middle of a pandemic and it is still mid-November, I cannot predict what January will be like. We are

looking at a number of measures, some of which I mentioned in my opening remarks. Within the next couple of weeks, we hope to be in a position to make an announcement about what the return after the new year is likely to look like and the kind of measures that we are working on with universities.

**Ross Greer:** I know that other members want to come in, but I have one final question. It is on a slightly different area but relates to what January will look like. Will you confirm what the position is in relation to in-person teaching in universities and colleges in level 3 and level 4 local authority areas?

**Richard Lochhead:** We published the guidance yesterday for level 4, and that will be disseminated throughout today. It will, of course, refer to other levels as well. For level 3, we have said:

“Learning and teaching will be predominantly online, with in-person provision only where it is judged necessary to fulfil learning outcomes ... and to support student welfare and retention.”

We have also asked all the institutions to rapidly review each course and their support services.

For level 4—around 44 per cent of college students and likewise 44 per cent of university students will be in the level 4 areas that were announced this week—we have said:

“Learning and teaching will be online with an exception for the delivery”

only

“of critical and time-sensitive learning, assessments and work placements”

and so on

“that cannot be delivered remotely or postponed.”

We have asked all institutions under level 4 restrictions to inform Government officials by next Monday of the activity that they have identified as critical exemptions, along with the number of students that may come under those categories in which there may be some limited face-to-face learning and teaching.

**Daniel Johnson:** The end of term is a mere 10 days away for some students. Are you staying that they will leave university without knowing how, and in some cases whether, they are going to return? Is that satisfactory?

**Richard Lochhead:** We have to understand that we are dealing with a global pandemic. At the moment, we are focusing on allowing our students to return home safely at Christmas, if that is what is required. The committee may want to delve into that later in the meeting. This week, we are looking at various options for what the return after Christmas and the new year may look like. It may be a week or two before we announce that

because we are still working through it and taking public health advice.

Public health officials are looking at the other measures that we have put in place in Scotland and what that will mean for the potential trajectory of the virus. I do not think that that is unreasonable. Most people understand that we are in a very difficult situation. I do not believe that any other Administration in the United Kingdom has made more progress than we have in terms of plans for students returning after Christmas. We are all in the same boat. We recognise that minds are turning to what that return might look like and we will do our best to paint that picture as soon as we can.

**Daniel Johnson:** Students will want to know whether they should be packing up their things for good and it is not unreasonable for them to want to know that. Part of the reason why there is an issue around the plan for the return to university is that we did not have a particularly effective plan at the start of the academic year. Why was having tens of thousands of students all turning up to halls of residence at the same time not identified as a risk? Halls of residence are a form of accommodation in which people live in very close proximity. Why was that not identified as a risk and why was there not a better plan for people arriving at the start of this term? If we had had that plan, we would be in a better position to have a plan for the return in the new year.

**Richard Lochhead:** There is no blueprint for what we have been through in further and higher education while dealing with a global pandemic. There was a plan and, as I said before, we had 500,000 students returning to further and higher education. As Daniel Johnson said, a few tens of thousands—mainly first year students—were staying in halls of residence and we put guidance in place for the institutions to follow. In developing that guidance, we took the best expert advice that we could obtain on how to keep people safe in their halls of residence. At the time when students were returning to university, we were already seeing a rise in the prevalence of the virus in Scotland. We knew that there were risks, and we had a plan.

10:45

It is clear that not opening the halls of residence would have resulted in similar harms and difficulties, and would have posed other risks as well. As members will know, it is all about the balance of harms. We have to learn what we can from the situation in halls of residence in September and October.

Steps will be taken to mitigate the situation for the return of students after Christmas and new

year. Of course, that will be different from freshers week in September and October—it will be a different environment for students who are returning to their campuses. We are working closely with everyone to ensure that we can make it as safe as possible.

**Daniel Johnson:** Can you guarantee that all students will return, or are you looking at proposals which might mean that some students, such as those in the arts and humanities, which do not require access to laboratories or other physical resources, might be asked to study from home—*[Inaudible.]*

**The Convener:** I am afraid that we have lost Daniel Johnson—*[Inaudible.]*

**Daniel Johnson:** I will repeat the question. Can the minister guarantee that all students will return in January, or might it be a partial return?

**Richard Lochhead:** Staggered returns would be one of the options. I cannot say more than that just now, because we have not taken any decisions. The period of time that might be involved, or whether that option will be adopted at all, remains to be confirmed, but it is absolutely one of the options.

**Daniel Johnson:** Will all students return? That question is different from the issue of staggered returns.

**Richard Lochhead:** You are asking me to confirm a decision which, as I said, has not yet been taken. I am saying that one of the options would be a staggered return, which would mean that not all students would return at the same time.

**Daniel Johnson:** So, you do not know if all students will return. Some might not—is that what you are saying?

**Richard Lochhead:** We have not taken a decision yet, and unfortunately I am not in a position to announce a decision to the committee today.

As I said, all the UK Administrations are speaking to each other about the matter, and we are all looking at the options for the safe return of students after Christmas and new year. In fact, I have a meeting this afternoon with my UK counterpart.

**Kenneth Gibson:** Good morning, minister. Universities Scotland, in its submission titled “Universities as drivers of Scotland’s recovery & future success”, rightly refers to Scotland’s excellent record on research. It states:

“research is increasingly a joint venture with business, and this has 33% higher impact than the UK average”.

The submission goes on to say that:

“Brexit remains a threat to the research environment”,

but it also says that there is a

“real opportunity to lever additional resource into Scotland for research and innovation to ‘rebuild better’, and ... create high-quality jobs while doing so.”

Given that there are concerns about a £43.5 million shortfall for research, what will the Scottish Government do to help plug that gap and enable universities to lever in that additional funding?

**Richard Lochhead:** That is an important issue. In Scotland, we are lucky in that our research-intensive universities and institutions are world leading. That helps to underpin the wider Scottish economy, and we have to do our utmost to protect it as we go forward in the face of the challenges from Covid and from exiting the European Union, which poses a significant threat.

With regard to the challenges that universities face from Covid, a few months ago we announced an extra one-off injection of £75 million to help support research in our universities. Universities were facing a lot of pressures and many contracts had been suspended, and the extension of contracts was leading to extra costs.

In addition, some of the income streams for research have been harmed. For example, charitable income for research in our universities is likely to experience a severe decline because our charities are not currently raising money across society, and therefore they cannot fund as much research in universities as they previously did.

On the point about leaving the European Union, Scotland has benefited from €711 million from the EU’s horizon research programme since 2014. We currently have little clarity from the UK Government about what will replace that. That huge research resource is at risk.

We have given £75 million to the sector. We are working with the UK Government and putting pressure on UK ministers to ensure that we do not lose out on EU research funds and to make sure that those are replaced by UK research funds. We are also working with UK Research and Innovation to establish how Scotland can benefit from the funds that are coming on stream from that avenue. It is a big issue.

**Kenneth Gibson:** Looking at that £75 million, and thinking about the gearing effect, how much additional funding does the Scottish Government think that it will be able to bring in from private and other sources?

**Richard Lochhead:** That touches on one of the reasons why the Scottish universities value the public support for research. It levers in private sector and charitable sources of money.

Karen Watt from the Scottish Funding Council is on the line. She is involved in that and she may wish to elaborate, but I think that the £300 million that the SFC took in from public funds for university research draws in another £800 million. That shows how valuable every £1 million of publicly supported research money is to the Scottish economy.

**Kenneth Gibson:** Funding is a big issue for universities, and we will not have a budget until 28 January. The universities have put forward a number of what we might call demands for money. Those include a complete reversal of the erosion of real-terms funding by £750 per student that they claim has happened since 2015, a demand for research funding and a maintenance backlog of £850 million that they want assistance with.

Given the Scottish Government's current financial situation, will the Government be able to move at least some way towards assisting universities with their funding difficulties, including some of the issues that I mentioned?

**Richard Lochhead:** We are reflecting on the financial pressures that Scotland's colleges and universities face. Where possible, we have already brought forward additional funding. The Scottish Funding Council is advising us. We recognise that the sectors still face financial pressures, primarily because of Covid-19.

That will be taken into account. Discussions and negotiations will take place within Government in the run-up to the budget in January. I am sure that the finance secretary and the Government will take that into account.

**Iain Gray:** My question follows on from Kenneth Gibson's questions, because it is about the budget. When we have previously discussed the financial impact of Covid on the university sector, there has been some dubiety about where the financial position might land. The Scottish Funding Council has now done significant work on that. The papers that we have for today's meeting say that, in this financial year, the sector will record an underlying operating deficit of £176.1 million and that borrowing will have increased to £1.735 billion. That figure is up from £437 million only five years ago. Most worrying, the SFC says that six universities will have fewer than two months of cash reserves by the end of the financial year. That sounds like an existential threat to at least some of our institutions. Is it really enough to say that you are "reflecting" on that? Can you not give some indication that you may be able provide some financial stability for this critical sector?

**Richard Lochhead:** As I previously said, we are listening closely. This is a moveable feast. The deficit figures have fluctuated wildly in the past few months. Karen Watt can elaborate on that.

As you know, a lot of that relates to the number of international students who will be coming to Scotland and are still to arrive. For example, a large percentage of postgraduate students at some universities in Scotland are due to arrive after the new year. Therefore, there is still an element of uncertainty about the financial challenges facing our universities, particularly in relation to international students.

We recognise that this is a very tough time for our colleges and universities, as it is throughout Scottish society. A lot of that is to do with Covid. We have asked the Scottish Funding Council to undertake a review, because we realise that there are challenges facing the funding model of further and higher education. You might have seen the SFC's phase 1 review report, which begins to consider those issues—there are another two phases of the report to come.

I assure Mr Gray that the financial position will be taken into account in the budget discussions in the run-up to the budget's publication on 28 January. Clearly, this is not my decision—I am not the finance secretary—and the Cabinet will be looking at the issue. However, we acknowledge the severe financial pressures facing our colleges and universities.

If the convener wishes to bring in Karen Watt at this point to talk about the financial pressures that some universities are facing, you might find that helpful.

**Iain Gray:** I am happy to do that—[*Inaudible.*]—follow up first and then have Ms Watt come in. I am in your hands, convener.

**The Convener:** Is that you finished, Mr Gray?

**Iain Gray:** No. I have a follow-up question for the minister. He invited Karen Watt—

**Richard Lochhead:** I will ask Karen Watt to come in on Iain Gray's first question, then I will happily answer his second question.

**The Convener:** Sorry, I missed that.

**Karen Watt (Scottish Funding Council):** As the minister said, the situation is very fluid. Universities are all in quite different situations. Overall, I would say that our funding represents about 30 per cent of the sector's total income, but reliance on our funding and exposure to other cross-flows of income, for example the international tuition fees, varies significantly.

When we look at individual institutions and we are talking about sustainability and the interaction with our funding model, all those differences come into play, as you know. The University of the Highlands and Islands gets about 69 per cent of its funds from us, whereas the University of St Andrews gets 15 per cent. In all such cases, it is

the close relationship that we have with individual institutions that helps us to assess their sustainability overall.

It is also worth highlighting that we were taking some of the projections at a point in time and that the figures have improved significantly over the period of a few months, partly because universities have put in their own mitigating actions.

I would also say that there have been significant injections of funds during the Covid period: as the minister said, there has been £75 million for research, £3.5 million on estates maintenance and, as a result of the SQA exams process, there will potentially be money for additional places.

All those issues in the round are still in play as we look at the financial projections during the coming months.

**Iain Gray:** Thank you for that. The problem is that some of this is not fluid. Some of the issues are not related to Covid or to international students, as the minister implied. If we look at the public funding of teaching for Scotland-domiciled students attending Scottish universities in 2018-19, which is long before Covid, there was a shortfall of £157 million a year. As Kenny Gibson has already referred to, the Government underfunds each Scotland-domiciled student going to university to the tune of £750 in real terms compared with only five years ago. That is not fluid or unpredictable; the university sector is facing a problem of financial sustainability. Mr Gibson asked the perfectly reasonable question whether that issue will be addressed.

You say that, because of what happened in the exams, you are helping universities by funding additional places. However, that is not a help to the universities, because every additional place at this level that the Government funds costs the university that accepts that student £750. It is not the case that you are helping the universities; you are making the situation worse. I ask the question again. Yes, the budget will be decided by the finance minister. However, will you, as the Minister for Further Education, Higher Education and Science, argue to your colleagues that that £750 gap, which has developed over time, should now be closed to try to help our universities to survive this crisis?

11:00

**Richard Lochhead:** I always argue for the best deal for our further and higher education sectors during budget discussions, and I will continue to do so. As you know, the Government faces an enormous challenge in relation to public finances as a result of Covid. Every sector is under pressure.

Kenneth Gibson's question was about research, and I feel that I addressed the points that he asked about.

**Iain Gray:** He asked about—

**Richard Lochhead:** I want to answer your question. I accept that there are short-term, medium-term and longer-term issues. I accept that the funding model for Scottish higher education in particular needs to be addressed. I commissioned the Scottish Funding Council to carry out a review into the sustainability of further and higher education, because I recognise that we are very much at a crossroads, for a variety of reasons. Covid is just one of the reasons; you have mentioned some of the others. I accept that we are at a very important juncture and that we must examine the fundamentals of further and higher education and how it is funded.

I look at how we support further and higher education across the board. We have in place record levels of student support. The Government pays to enable tuition to be free; we also provide funding for teaching, research and so on. We make choices. I could take money out of the research budget, but then the extra £800 million that was mentioned earlier would not be brought in, which is very valuable to Scotland. We decided that £300 million should go towards research. We could have taken other decisions that we decided not to take. We are protecting free higher education in Scotland, but choosing to support free higher education comes at a cost.

We consider the outcomes of our approach, which are very positive. The outcomes from the more than £1 billion that we put into higher education and universities are record numbers of Scottish students being accepted to Scottish universities, record numbers of students from south of the border being accepted to Scottish universities and record numbers of applications being made by overseas students to Scottish universities.

We are making good progress on widening access. More students from our more deprived communities are attending our universities than was ever the case previously. As I said, the outcomes are very positive for Scottish higher education. Furthermore, debt for students in Scotland is a fraction of the debt for students elsewhere in the United Kingdom.

I accept what Mr Gray has said about the need to fundamentally review how further and higher education is funded in Scotland. There are short-term issues and there are medium to long-term issues. In relation to the short-term issues, we will ensure that no university is at risk. With her colleagues in the Scottish Funding Council, Karen

Watt is doing a lot of good work in supporting our universities to get through this fragile time.

**The Convener:** Is Mr Gray finished?

**Iain Gray:** I have the briefest of follow-ups. Surely, the whole point of this exchange is that the Government is not funding free higher education; it is partially funding free higher education. There is a shortfall of £750 for every Scotland-domiciled student, which universities are having to fund. Surely, it is reasonable to ask that the policy, which I support, be properly and fully funded by the Government.

**Richard Lochhead:** That is why we are having the fundamental review of the financing of further and higher education. I think that we all accept that the right thing to do is to have the review that is taking place. I am sure that Karen Watt and her colleagues will give us some potential answers.

The finances of universities are complex. The overall economic recovery of costs in Scotland's universities is above that in the rest of the UK. That takes into account other factors as well as teaching, such as research, but I accept that Mr Gray is focusing on what public support is available for the teaching element.

**Beatrice Wishart (Shetland Islands) (LD):** The minister referred to widening access. The SFC's phase 1 report says:

"We may also wish to explore the option of reducing student numbers and maintaining current levels of funding".

What impact would that have on widening access?

**Richard Lochhead:** As you know, the Scottish Government is committed to widening access for students from Scotland's most deprived 20 per cent of communities. We are only 0.1 per cent away from our 2021 target, so we are making good progress.

We have encouraging statistics from university admissions this year—that represents offers and acceptances, and we will have to wait a few weeks for the final figures, which show how many students turned up. We are making good progress on widening access, and I congratulate all our universities and their teams, which have put huge effort into helping people from more challenging backgrounds to access higher education.

It would be best for Karen Watt to talk about the SFC's review, which you asked about. Phase 1 looked at issues that a lot of organisations and sectors presented for the SFC to consider. The report does not represent Government policy, and we have no plans to cut student numbers in the coming years.

For the review, some proposed that one way to increase public support for each student place would be to cut the overall number of places for

the given budget. That might relate to the demographic issue that there might be fewer young people to go into further and higher education in the future. Rather than cut the budget, we could leave the budget as it is, which would increase the amount of money per student.

I ask Karen Watt to explain where the reference in the phase 1 report came from, if Beatrice Wishart is happy with that.

**Karen Watt:** The point of our review is to ginger up debate about what the future might look like. We used phase 1 to reflect back what we heard. We said clearly in our review that colleges and universities are vital to our economic and social recovery through the pandemic and beyond and that we will need to expand tertiary education to get through the economic recovery in the next few years. We explicitly said that we need additional undergraduate and college places to ensure that people have a productive learning environment.

In the review, we looked at options and at feeding back what people talked to us about in relation to the next five to 10 years. Student numbers are one part of the bigger debate—we had about two paragraphs on them in a 90-page report.

The suggestion was made that taking a different approach to target setting in the system—for example, by taking away volume targets for colleges—could mean a different way of looking at demographic planning and setting targets. That might mean better regional planning and a more efficient system. If the system was more efficient, got people into work in the right place and stripped out unnecessary duplication of levels of study, reducing student numbers in line with demographic projections might be an option.

That involves a lot of ifs, largely because the report looks at possible options, greater flexibility for colleges and universities and a greater alignment of a number of controls that we exercise. There are a lot of ifs because the report explores options for the future.

**Alex Neil:** I will ask the minister about the Covid-associated costs for the higher and further education sectors. One cost is from lost revenue; another is from additional expenditure by institutions on health and welfare provision and other resources that are required.

Minister, the committee has had quite a lot of dealings with you on the lost revenue aspect. However, how much additional expenditure has been required as a direct result of Covid? Are those instances of one-off expenditure, or will they be repeated in future years?

**Richard Lochhead:** We are looking at that aspect. I know that Karen Watt and the Scottish

Funding Council are also considering it closely and are speaking to the institutions. We have asked them to survey the costs that institutions have incurred because of Covid. As I am sure that Alex Neil will appreciate, that is work in progress because we are still in the middle of the pandemic.

Much of the additional funding, such as the money that we have allocated to colleges, is directly Covid related in that it is required as part of Scotland's response to the pandemic. Around £19 million of that funding has been directly related to Covid initiatives.

I realise that Alex Neil asked about direct costs incurred by institutions, whereas I am giving a much more general picture about help for colleges because of Covid. We understand that there are other pressures there, and the SFC has given us figures—which the committee has—showing that to be the case. Universities are soaking up many such costs themselves, because they know how important it is to support students' welfare. Again, we have added resources for Covid-related issues such as mental health difficulties and student hardship, which has meant that extra resources have gone to universities.

I remind Alex Neil that all of that is very much work in progress, because the current situation is such a moveable feast. Perhaps he might want to invite Karen Watt to say a bit more about it.

**Alex Neil:** That would be helpful.

**Karen Watt:** Particularly in colleges, additional costs have been incurred on measures to make campuses Covid safe, such as extra signage. They have also involved investment in areas such as the digital and online provision of learning resources, considering student hardship difficulties and managing connectivity and laptop provision issues.

We have been keeping a check on such matters all the way along, but we are carrying out a rapid piece of work explicitly to assess exactly where we might be on them. The situation is relatively fluid because, early on in the Covid pandemic, part of our role was to ensure that we had not only stability but flexibility in our funding, so that universities and colleges could plan and think about what they needed to do with their resource. For example, where there have been shortfalls in certain targets in our outcome agreements, we have said that we will not take back those funds and redistribute them, if they involve Covid-related issues. We have therefore enabled some such costs to be met from the flexibility that we have already put into the system.

Additional money has gone into helping preparations around student support and making campuses ready, but we are doing a piece of work explicitly on whether there were additional costs

over and above the flexibilities that we have put into the system.

**Alex Neil:** That is helpful. Clearly, we will all need to keep an eye on that area as we move forward.

I have a second and final set of questions for the minister. In your introductory remarks, you mentioned that the incidence of Covid in the student population has been quite suppressed, compared with the initial burst when everyone went off to university at the start of the academic year. What is the testing regime in higher and further education? Are we testing students and staff regularly? Are we testing asymptomatic students? How do we know that the incidence is suppressed?

**Richard Lochhead:** At the moment, like all other members of our society, students and staff are offered tests if they have symptoms. The numbers of those tests are the basis for our current statistics. We also speak to universities about the numbers of their students who are self-isolating. I am sure that, across our society, all our figures will be in the same basket in that they will have a margin for error, as is reflected in the modelling that our public health officials carry out. At the moment, our figures come from testing of symptomatic individuals, which is carried out through the test and protect system in the same way as we do for everyone else in society.

You will be aware that, as I announced in Parliament last week, we are introducing testing of asymptomatic students as part of our approach to a safe return for students from college or university for Christmas. We want to allow students to go home at the end of the term, if that is what they wish to do. We also know that, in any year, tens of thousands of students want to change their term-time address at the end of term at Christmas.

11:15

We are working with universities as we speak. In Scotland, all our universities and, where appropriate, the colleges, have volunteered to participate in the UK pilot scheme. We are working with the UK delivery partner to roll out asymptomatic testing, using a lateral flow test that can give a result within half an hour. Any student who wants a test will be offered one. It will be up to the universities how to roll that out. It has to be delivered in a relatively short window, as we are approaching the end of term and it has to be done before the students head off home.

I am sure that the committee knows that it is a pilot scheme, so it is the first time that it has been done. Universities are working hard to get the infrastructure up and running, working with the UK



delivery partner and public health teams to ensure proper clinical governance and that it is carried out properly. I would advise students who want to go home to come forward for an asymptomatic test. It is an extra layer in all the measures that we are asking people to take to stay safe. Tests are not fail-safe, but it is an important addition to all the other measures that must be taken.

**Alex Neil:** International research shows that up to a third of the population is asymptomatic, so we cannot be absolutely sure that we have suppressed the virus until we move on to testing people who are asymptomatic, can we?

**Richard Lochhead:** I do not think that I used the term “suppress the virus”. I am just saying that, at the moment, there is a much smaller number of cases in colleges and universities. Only a tiny percentage of the overall daily rate of reported cases in Scotland relates to students. Given all the headlines and the coverage over the past few months, it is important that we do not single out students. The statistics show that, given that we have 500,000 students in Scotland out of a population of about 5.4 million, proportionally, students are not as big a problem as some people might want to make out. We must not stigmatise them and, at the moment, the figures are quite low.

As you say, no testing regime is perfect, but the new asymptomatic test, which is being rolled out across UK universities in a pilot scheme, is much more reliable and accurate than previous asymptomatic tests.

**Alex Neil:** That is good news.

**Jamie Halcro Johnston (Highlands and Islands) (Con):** The minister said that we will not know about the additional places until next year. Does he know when next year we will know? He estimated that it will be about 1,500 places. To follow up points made by other members, will those places be funded at the current rate or at full cost?

**Richard Lochhead:** We estimate that 1,500 extra university places will be funded as a result of the Scottish Qualifications Authority changes a few months ago, which will result in an additional £12 million at least for universities. It depends which courses students choose—it could be a bit more than £12 million. That is based on the current funding model for places in Scotland, and the universities have signed up to that and are happy to ensure that those 1,500 students are provided with an education.

**Jamie Halcro Johnston:** I wonder whether they truly are content with that, minister. Universities Scotland makes a number of asks in its written submission for help to address the deficit of £176.1 million.

You did not really answer Iain Gray’s question about what you will ask for from the Cabinet Secretary for Finance. Of the specific asks from Universities Scotland, what are you lobbying the Cabinet Secretary for Finance for? Are you asking her for more money for the university sector in the budget next year?

**Richard Lochhead:** I know that you would love straight answers to those questions, but you will understand that we are talking about submissions that were sent in by the sector in the past few days as part of the on-going process for the 28 January budget. They will be fed in to the process, and I will speak to my colleagues in Government about the pressures that further and higher education are facing. As I said, collectively, as a Government, we have to consider the enormous pressures across public finances that are faced by all sectors. There will be similar submissions from all stakeholders across the Government’s areas of responsibility.

I am not in a position to say yet, but I will certainly discuss the matter with Universities Scotland. We have more meetings planned to hear its case and talk through the issues as the budget negotiations progress in the coming weeks. I am sure that the committee will want to have its say as well.

**Jamie Halcro Johnston:** A lot of those areas are not new. The erosion of funding has been brought up time and time again. It is not as though the issues will be new to you. As the Minister for Further Education, Higher Education and Science, your job is to fight for and support the sector. Will you be looking for more money for the sector in the budget? Is it your aim to fight the sector’s corner and get more money?

**Richard Lochhead:** My job is to work with our sectors and with my fellow ministers—to make sure that they are aware of all the issues that the sectors are facing—so that we can deliver good-quality further and higher education for the people of Scotland. It is important that our colleges and universities play a key role in the post-Covid economic recovery. As a country, we will not be able to help our economy to recover without having vibrant colleges and universities that deliver not simply for young people but for people of all ages.

I will make the case but, as I said, the Government as a whole is facing enormous pressure on public finances at the moment. It will all be subject to the discussions and negotiations in the coming weeks, and I will be part of that.

**Jamie Halcro Johnston:** On the subject of testing, the testing kits have been delivered by the United Kingdom Government, and the logistics of rolling out the testing in December are, I think,

being dealt with by the universities. It was suggested to me that the UK Government is looking to do testing on students' return to universities in January. Is that also your understanding? If that is the case, what is the delay in confirming that asymptomatic testing—which we have been calling for some time—will be available to students in January so that we can avoid a repeat of the outbreaks in halls that we saw in September and October?

**Richard Lochhead:** We are looking at the potential role of testing. We are about to have an experiment, with our first asymptomatic testing regime being put in place in campuses in the next few weeks. We are also discussing the issues with the UK Government, because we want to stick together as much as possible on a UK-wide pilot for testing. The first part of the pilot is about the safe return of students at Christmas when the term finishes. We continue to discuss what role testing will play in the return of students after Christmas. I am speaking to the UK minister this afternoon, so I might get an update on the UK position, but no one has taken any decisions yet on what that role will be, because various questions arise with asymptomatic testing, including where, when and who.

We are about to have our first experiment with the pilot of asymptomatic testing. I hope that people agree that it makes sense to set it up and put it in place and to see how it goes. It is a pilot, so we have to learn from it.

**Jamie Halcro Johnston:** Do you accept, as Daniel Johnson pointed out, that the situation will cause confusion or concern for students who are going home and who are not sure whether the testing regime will be in place when they come back?

**Richard Lochhead:** Term starts to break up around the end of this month and through the first couple of weeks of December. As I said, we will do our best to give as much clarity as possible to students. I would love to be able to give clear and ideal answers but, because we are in a pandemic and cannot lift off the shelf a blueprint or manual on how to handle it, we are learning as we go.

As we speak, we are not yet clear on that position but, of course, we recognise that it is an anxious time for students and their families. I speak to my constituents and, last night, I spoke to a family on the telephone about the concerns that they and their daughter at university have, so I understand the anxieties. If I had children at university or college just now, I would share those anxieties. However, most people that I speak to are reasonable and understanding. No one wants to be in this position, but we have to do our best to get through it and take the decisions as and when it is appropriate.

**Rona Mackay:** I want to pick up on your comments about anxieties. This is a very anxious time for students, and I think that you said that 1,000 students are still self-isolating. Are you satisfied that enough mental health and wellbeing support and counselling services are available for students? Will there be enough for students who go back after January? Have extra measures been put in place to cover that particularly difficult period?

**Richard Lochhead:** That is an important issue. My next ministerial leadership group meeting—I hold meetings with all the leaders of further and higher education and the agencies every two or three weeks—takes place this Thursday, when there will be an agenda item on the mental health impact of Covid-19. We are paying close attention to that and we will get more updates and feedback from our student and college and university staff unions on Thursday, which will give us a better picture.

So far, we have made sure that more resources have gone into those sectors to help deliver mental health support. The rolling out of 80 counsellors over four years, which is an existing policy, is well on and, in September, we announced a further few million pounds towards that roll-out. In the past week or so, the Cabinet Secretary for Health and Sport announced a further £1.3 million for mental health support in the sectors, to help deliver services that relate directly to Covid-19.

The Government continues to support the NUS think positive campaign, and there are one or two other mental health initiatives on campuses. Details of that support are provided as part of the welfare support that is delivered to all students at university and college just now, including self-isolating students, so that they can follow it up if they need it. The latest figure that I have—it is now a couple of days old—is that 899 students are still self-isolating in Scotland's university sector. Looking at self-isolation across society, that is what we would expect, so that is a better place than we have been in over the past few months.

**Rona Mackay:** Thank you. That is helpful.

**Jamie Greene:** My questions can be answered by either witness. We need to be realistic about the situation in higher education. I know that the paper from Universities Scotland was submitted only in the past few days, but it repeats what the committee heard in April and before I became a member—the warnings from the sector have been out there for a long time.

The numbers are stark: in the past five years, debt in institutions has trebled and the average funding per student is down by £750. Six out of our 18 institutions are set to run out of cash within

the next 60 days, and many have reached their borrowing capacity, so the idea that they can keep borrowing to make up the shortfall is not feasible or sustainable. That had been happening for many years before Covid. How have we got to a situation where our higher education sector is in so much debt, is so underfunded and is struggling? How will you ensure that the sector survives?

**Richard Lochhead:** Jamie Greene asks fundamental questions, which we have to look at closely and debate.

Jamie Greene raises two points. The first is about the debt levels in the sector. The second is about what he calls underfunding, which is clearly a matter of political debate. We do not run the universities, but 40 per cent of universities' income comes from the public purse. That figure varies between universities. The percentage of public funding is very low for some universities and much higher for others. In effect, the Government's role is to have a contract with the further and higher education sectors to deliver education for the people of Scotland. We also want to ensure that they play their role in relation to research and underpinning the Scottish economy.

11:30

The decisions are taken by the universities. Many universities have taken very ambitious decisions to grow, invest and develop new projects over the past few years. Those projects are exciting for the future of Scotland and, in many cases, for the future of humanity, so we are very lucky. The universities are independent institutions; they take their decisions. Therefore, they have to cut their cloth and deal with the consequences of their decisions.

There will clearly be different views and an exchange of views. I am not denying that we have to look closely at public funding for further and higher education, but our role is our role. We are not responsible for all the finances of Scotland's universities, although we want to work with them to ensure that we have a sustainable sector.

Jamie Greene said that he might want to hear from Karen Watt. It might be worth bringing her in, because what we are talking about is exactly the meat and drink of the review that the SFC is undertaking.

**Karen Watt:** That has been a huge focus of our review, and there is no one easy answer. Clearly, there were underlying issues pre-Covid that are rippling through.

I have a number of points on that. First, I think that we can do something to protect the research and science base. There are, of course, many

players in that field. A collective set of decisions in relation to full economic cost recovery are made by the Government, the SFC and UKRI. A dual support system is in place for research and innovation. The decisions that are made by charities and other UK research funders are important, and those decisions might help with some of the cross-subsidisation that underpins research.

Secondly, given that universities are, in and of themselves, international beings and, as the minister said, make choices about the balance and mix of courses, business and research, we need to accept that, for the foreseeable future, there will be a level of cross-subsidisation from international income for learning and teaching in universities. The question is whether we have the right balance. That is what the review is trying to work through with the sector.

Thirdly, there are issues that individual institutions need to take on themselves. Those include mitigating strategies, adjustments to their business models, their workforce plans, their estates, their digital infrastructure and the choices that they make about their business mix.

Finally, there are some interesting themes from our review in relation to having a more integrated and connected tertiary education system. If some universities and colleges worked together more closely and collaboratively, particularly in regional areas, we could look at whether we could get a more efficient learner journey and better outcomes for businesses.

We will take forward some of those threads in the rest of the review, which has not concluded. We will work into next year on some of those specific issues.

**Jamie Greene:** The minister said that such matters are for political debate, but they are also matters of political choice. The reality is that how much funding universities get from the Government for their places are political decisions, and it is a fact that universities are receiving less money today than they were five years ago. Although we can try to apportion some of the blame for their debt to their localised decisions, it is a fact that central Government policy decisions directly affect their funding. I do not think that that can be ignored. I hope that the review will address that issue.

Ms Watt made an interesting point about having better connections between colleges and universities and a more holistic view of the tertiary sector. That is sensible and prudent.

We know that our college sector is also in dire straits. The papers for the meeting show that colleges are also forecasting a deficit this year. Colleges are structured differently to universities,

so their ability to borrow or to generate revenue is different. The stark reality is that they will deal with that by reducing staff expenditure, which will undoubtedly mean cuts to staff numbers in some colleges. A reduction in staff may mean a reduction in courses and in the role that colleges can play in the post-Covid recovery.

Given the importance of colleges in helping us with the Government's upskilling and reskilling agenda, the money that they are asking for, which is between £10 million and £20 million, is not much in the grand scheme of things. We get huge benefits from our college sector.

**Richard Lochhead:** As you say, our colleges have a crucial role to play in upskilling and reskilling. I welcome your comments about the future of tertiary education in Scotland. I hope that we can have cross-party support for some of the changes that we need to make. We will wait for the outcome of the review to make sure that our further and higher education systems are fit for purpose in the 21st century given the global, demographic and technological challenges that we face.

We have received a submission on college finances and will reflect on that as we do with all the submissions that we get from stakeholders. We have brought forward additional resources for our colleges in response to Covid. The £15 million deficit for colleges that the SFC is projecting at the moment is less than what was being projected a few months ago. We will keep a close eye on that.

We gave colleges a £33.5 million uplift in this year's budget. So many pressures have come to bear since then that that has been all but wiped out. We gave a further £19 million through various Scottish Government employment and training initiatives. That is helping. The flexible workforce fund is delivering an extra £7 million this year, and that will also help. On top of that, a £25 million training and transition fund was announced a few weeks ago. Part of that will benefit our colleges and universities.

We are paying close attention to ensure that we support our colleges to support people to cope with Covid and come out into economic recovery. We are supporting the other costs that they face because of Covid. That is why we are making sure that some of those new funds directly benefit our colleges.

We are in a challenging position. I do not deny that. Covid-19, Brexit, demographic challenges and a possible economic downturn give us a range of challenges that we could do without.

**Jamie Greene:** I appreciate that. You made a point about the operating deficit coming down. It has come down: it was at about £25 million when we looked at it in April. However, the SFC has

acknowledged that the deficit has come down because of the job retention scheme, which is effectively paying the wages of many college staff.

As we emerge from the virus and stop needing schemes like that because people are back at work, that deficit will hit us and colleges will have to reduce staffing. They have tightened their belts as far as they can. The problem is looming and will affect colleges in the next six months. When colleges have to pay for staff from their operating costs they will be in deficit and will have to make cuts. Those cuts will surely inhibit their ability to play a meaningful part in getting people back to work and reducing unemployment.

The deficit has come down because of things like the furlough scheme. Is there a strategy for how to deal with that deficit as we emerge from Covid?

**Richard Lochhead:** Some of the reasons why college and university income streams have taken a hit also come from Covid. It is all interlinked.

We have the job retention scheme to help to plug gaps because other areas have seen a reduced income because of Covid-19. Therefore, some colleges are making savings just now because of the lack of catering requirements, which is directly related to Covid. The committee should rest assured that the Scottish Funding Council, the institutions and I are working together on that and that we do recognise the financial challenges. I am sure that they will also be part of the discussions during the next few weeks in the run-up to the budget.

The Scottish Funding Council is taking measures to support our colleges. That is important, and we support it in doing that. Karen Watt might want to say a couple of words about that. I assure Jamie Greene and the committee that that is very much in our thinking about these financial challenges facing our colleges, which, for obvious reasons, are even more reliant on public funding, compared to universities.

**The Convener:** Ms Watt wants to come in on that point.

**Karen Watt:** As you rightly say, colleges are extremely finely tuned. Not only are they heavily reliant on our funds, our funds represent the largest part of their income. We are following the situation closely, and colleges are working closely with us, particularly when they have specific issues. We can adjust our allocations or cash flows, so we work closely with colleges on a regular basis.

The job retention scheme has helped. The additional money for the schemes that place colleges front and centre on economic and social recovery, such as the flexible workforce

development fund, the youth guarantee and, potentially in future, the transition training fund, is really important because it helps colleges to manage the staff base and enables them to ensure that the right people are doing the right kinds of training and delivery. That will help them to manage the shape of the conversation about their staff base. We are also in regular discussions with the Scottish Government about the possibility of some kind of transformation investment fund. We proposed that in our review, and it is something that we are keen to explore, because the better way to help colleges to plan is to be clear and up front about whether there are funds for voluntary exit schemes that help them to reshape their position regularly. At the moment, they might need to assume some element of additional support for that. Those are the sorts of conversations that we are having.

**Jamie Greene:** Do I have time for a supplementary question, convener?

**The Convener:** Yes, if you are quick. We will have one supplementary question from Mr Johnson after you.

**Jamie Greene:** One piece of feedback that we frequently get from colleges is that they want more flexibility in how they spend the money that they are given by the SFC. In other words, because the pot of money has been chopped into multiple funds for specific purposes, they cannot use money that has been ring fenced for one purpose for something else, even though, within their local organisation, they feel the need to move money around to do different things and to be able to respond and react. It seems that, over the years, we have almost overcomplicated the process that colleges have to go through to access the bigger pot of cash. They used to have fewer funding streams, so they feel that they have lost that flexibility. As part of your review, will you look at simplifying the funding streams to give individual institutions the flexibility that they think they need? As well as the overall amount of funding, it is about what they can do with the money that they get, given their reliance on your funding, compared to universities.

**Karen Watt:** That was a strong part of the feedback in our review, and we have mentioned it throughout our report. We have also mentioned some possible options. It has been very helpful for colleges to have our baseline funding, because it has enabled them to bid into these other funding pots.

Through those other funding streams, we are effectively enlarging the investment that is available for colleges, but colleges would like to see a more integrated approach. They would certainly like us to think differently about targets and how we set them. In our review, we set out

some options in that regard, and this year, in particular, we have moved to a much more flexible way of enabling colleges to think about how they use our funds.

11:45

My final point is that, in all this, we have to balance accountability for a lot of public money that goes into the sector, with the flexibility that the sector needs to deliver. One of the things that we would like to explore is a more fundamental review of our outcome agreements. In some of our material that we put out in the first phase, we proposed that we move to something more akin to a national outcome and impact framework, whereby institutions have a lot more flexibility to decide how best to meet the outcomes that we are setting out.

It is very much a balance of accountability and flexibility, and we think that the review is giving us the option to explore that further with colleges.

**Daniel Johnson:** I want to go back to a comment that the minister made about the use of lateral flow testing, and it being more accurate for asymptomatic individuals. I am sure that the minister will agree that it is important that we are clear about the facts of such matters. My understanding is that lateral flow testing is not more accurate, but it is better suited to mass deployment. I think that with one instance of the test, the accuracy is lower—around 70 per cent. It is the second test that gives accuracy of more than 90 per cent, but it detects a much higher viral load than the polymerase chain reaction—PCR—test. Is it correct to assess the lateral flow test as more accurate? It is really about the ability to deploy it on a mass basis, is that not correct?

**Richard Lochhead:** [*Inaudible.*—say something misleading. I was talking about other asymptomatic tests that have previously been available in the market. I want to clarify that we have chosen an improved version of the lateral flow test for the pilot. I was not comparing it to symptomatic testing, or talking about it in relation to the wider effectiveness of testing. I was talking about it in comparison to other asymptomatic testing kits that have been available in the market. The test that we have chosen is a good one, and it is better than the previous ones.

**Daniel Johnson:** That is a helpful clarification. Thank you, minister.

**The Convener:** That concludes questions from the committee and the public part of today's meeting. I thank the minister and Karen Watt for their attendance. It has been a helpful session.

11:48

*Meeting continued in private until 12:04.*



This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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