

Briefing for the Public Petitions Committee

Petition Number: [PE1759](#)

Main Petitioner: Susan Crookes

Subject: Equalising teaching hours across Scotland

Calls on the Parliament to urge the Scottish Government to ensure that all children receive the same teaching hours across the whole of Scotland.

Background

Education authorities (local authorities) have a general duty to ensure the “adequate and efficient provision of school education” for their area (s.1 Education (Scotland) Act 1980). The Scottish Government provide the national policy framework and may make regulations to which education authorities must conform.

[The Schools General \(Scotland\) Regulations 1987](#) provides that schools must be open for a minimum of 190 days in a school year. The length of those days is not prescribed.

The structure of when schools are open is largely up to local authorities. Those local authorities may devolve the decision as to the length of school days to their headteachers (e.g. Fife Council¹). Or it may be consistent across the council area – for example, all City of Edinburgh Council’s schools operate for a half-day on Fridays.

[Section 21 of Education \(Scotland\) Act 2016](#) provides Ministers with the power to make regulations on the minimum number of school hours in a school year, with some exceptions. The power would also enable Ministers to prescribe the meaning of “learning hours”. S21 of the 2016 Act is not fully in force and the Scottish Government has not made regulations to prescribe a minimum number of hours.

Section 21 of the Education (Scotland) Act 2016 was inserted by amendment at Stage 2. The amendment was lodged by the then Cabinet Secretary for Education and Lifelong Learning, Angela Constance MSP. In moving the amendment, she said—

“All children and young people are entitled to the high-quality learning and teaching that enable them to achieve their full potential. In recent

¹ See The Courier [Fife school first in region to move to four-and-a-half-day week](#)

years, a number of local authorities have brought forward budget proposals to reduce the school week, but all were subsequently dropped in the face of significant parental opposition ...

“I do not believe that it is right that parents should have to fight for their children’s education in that way. No matter where in Scotland a child lives, he or she should be entitled to receive a consistent education offer. Education cannot be sacrificed in the name of savings, and we must all recognise the short-sightedness of such an approach.” ([Official Report 7 December 2015, col 34](#))

The tri-partite² [McCrone agreement of 2001](#) governs aspects of teachers’ terms and conditions. A major part of this is to limit contact time (i.e. time spent teaching in the classroom) to 22.5 hours a week. The remainder of the 35-hour week is for activities such as preparation, meetings, curriculum development, professional development etc.

All teachers working in publicly funding schools must be registered with the GTCS and be qualified teachers. In a primary setting, where one teacher tends to cover a class for most of the week, to have a school week of more than 22.5 hours teaching, additional teaching resource would need to be used. In a secondary school, timetabling is more complex and has different constraints.

Practice differs across local authorities. In 2015, Reform Scotland sent Freedom of Information requests to all local authorities asking about contact hours in primary and secondary schools. [Reform Scotland found](#)—

“The variance between the highest provision and lowest provision was 149 hours per year in primary and 245 hours in secondary, based on local authority area.”

Ned Sharratt
Senior Researcher
10 October 2019

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² Scottish Executive, COSLA and teachers’ representatives.

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