

## **PE1759/A**

Scottish Government submission of 17 December 2019

Thank you for the Committee's letter of 21 November 2019, seeking the Government's view of PE01759 - Equal hours for all school children. I note this petition urges the Scottish Government to ensure that all school children receive the same number of learning hours whichever local authority they live in.

I wish to start my comments by being clear that local authorities have responsibility for the delivery of education services in their area, including the number of hours of learning children and young people receive.

The specific number of learning hours and any differences between those that apply to different age ranges of children is therefore a matter of local authority discretion. In accordance with the education empowerment reforms that we are taking forward in partnership with local government, we expect local authorities to ensure that the learning hours guidance they provide to schools is developed in collaboration with the key partners in an empowered system and is focused on meeting the learning needs of their pupils.

There are of course legislative parameters within which local authorities must operate. Specifically, under the Schools General (Scotland) Regulations 1975, local authorities must provide 190 days of schooling per year. Within this local authorities have discretion over the length of the school day and can vary these as they wish to meet local needs. For example, some local authorities choose to operate a half day on a Friday.

Alongside this is the longstanding McCrone agreement which sets contractual limits around the number of teaching hours (22.5) that teachers are obliged to provide within the 35 hour working week. These ensure that teaching staff have sufficient time to carry out their necessary planning and assessment activities that support children and young people's learning and attainment. Although individual teachers' teaching time with pupils is restricted to 22.5 hours per week, any remaining teaching time is provided by another teacher.

Local authorities also have to operate within the funding limits provided by central government and use that funding to achieve good value for money in the delivery of services such as education. I have been clear that the Scottish Government's view is that reductions in learning hours should not be used as a route for making cost savings.

I acknowledge that Highland Council, along with a small number of other local authorities in Scotland, arranges its primary education to provide slightly fewer teaching hours to pupils in the youngest stages at primary school. This is a longstanding local variation. I would expect all local authorities to keep under review whether the education provision they provide is meeting pupils' needs, and to listen to parental views in reaching their conclusions.

Section 21 of Education (Scotland) Act 2016 would provide the Scottish Ministers with a power to specify the number of learning hours. So far, that provision has not been

commenced. Nevertheless, having these powers in reserve on the statute book sends a strong signal to the education system that protecting learning hours is important. If there was sufficient evidence that local authorities were opting to reduce teaching hours, and that this was undermining the quality of education provided, we would consider carefully commencing the above legislation.

I hope this information I have provided is helpful in clarifying the Scottish Government's position on learning hours.