

From COSLA Children and Young People, and Resources Spokespersons



16th February 2023

Convenor of the Education, Children and Young People Committee
The Scottish Parliament
Edinburgh, EH99 1SP

Via Email - ecyp.committee@parliament.scot

Dear Ms Webber,

Thank you for your letter of 9th February 2023. We always welcome the opportunity to set out the position of Local Government to inform the work of the Education, Children and Young People Committee.

Whilst we will respond to the issues raised in your letter in detail, we wanted to be clear from the outset that Local Government greatly regrets being placed in the position of having to make reduction in any of the services it delivers, particularly those that support children, young people and their families.

Outcomes focused

We recognise that there has been a focus on the number of staff working in schools in both your letter and from the Scottish Government in recent weeks. And in our last letter we were keen to provide further context to the committee's recent discussion of these issues. We believe that focusing solely on inputs and outputs as opposed to outcomes for children and young people – as set out by the National Performance Framework - can create a number of challenges and perverse incentives.

Local Government remains absolutely committed to improving attainment, closing the poverty related attainment gap and achieving the best outcomes possible for all young people in Scotland. The recent Achievement of Curriculum for Excellence Levels data demonstrates the progress that is being made, particularly when considering the context of the disruption of the pandemic on children, young people and schools.

Indeed, our commitment was demonstrated in our recent joint work with the Scottish Government to set '[stretch aims](#)' for the [Scottish Attainment Challenge](#), where we worked collectively to set out ambitions on progress locally and a national articulation of our aspirations for all of Scotland's children and young people, no matter their background.

However, improving attainment requires councils drawing on a wide range of local services, in line with the Getting It Right for Every Child model, in order to support the diverse range of needs of children and young people in our communities. We place

immense value on our teachers and their crucial role in realising our ambitions, but there are a broad range of services we need in order to provide the best support to children and young people and enable improved attainment and achievement.

Given the current financial landscape, we remain seriously concerned that a focus purely on the number of school staff results in very limited choices and therefore a significant impact on other vital services including but not limited to social work support, early intervention programmes for children and families, early years, school transport, breakfast and after school clubs, all of which have been crucial components of our collective plans to tackle the poverty-related attainment gap. These choices would also negatively impact Local Government's ability to achieve other key priorities including reducing child poverty, delivering high quality and sustainable public services and a just transition to net zero.

Funding for teachers and additional support staff

In the statement to the Scottish Parliament on 7th February, the Cabinet Secretary for Education and Skills set out that the Scottish Government will withhold or recoup funding from two streams within the Local Government Settlement. We thought it would be helpful for the Committee if we set out the origins and purposes of these funding streams, noting that some have been included in the Settlement for years and the quantum has not been updated in line with inflation.

Date	Quantum	Purpose	Recurring?
Funding that makes up the £88m			
2008/09 Settlement	£37m	Funding for Teachers Induction Scheme	Yes
2011/12 Settlement	£15m	To maintain 'as far as possible' teacher numbers and the P1-3 Teacher Ratio	Yes
2012/13 Settlement	£24m	Added to the Settlement for teachers pay	Yes
2013/16 Settlement	£2m	Added to the Settlement for teachers pay	Yes
February 2015 (letter from DFM to COSLA President)	£10m	Provided in addition to £41m in the Settlement to support employment of teachers – to help ensure the delivery of the commitment to maintain teacher numbers (<i>note: the PTR at the time was 13.7</i>)	Yes
Funding that makes up the £145.5m			
July 2020	£50m	<i>To ensure that local authorities are supported to provide sufficient teachers and support staff to cover any additionality that may be due to the COVID pandemic in the 20/21 school year (£45m ring-fenced for additional teachers, £5m to invest flexibly in either teachers or education support staff)</i>	No
August 2020	£30m	<i>Additional to the £50m already announced – to provide sufficient teachers to cover any additionality needed in 20/21 school year</i>	No
March 2021	£60m	<i>For recruitment of additional staff in 21/22 school year in order to further support education recovery in 21/22 - funding may be used flexibly to employ a variety of staff to</i>	No

		<i>meet the needs of children and young people in the local area</i>	
July 2021	£65.5m	To increase teacher numbers by 1000 and classroom assistants by 500 £50m for 21/22 (Aug 21-Mar 22), full year cost £65.5m baselined to meet ongoing full year cost of maintaining these additional staff in the system	Yes
October 2021	£80m	To meet the ongoing full year costs of maintaining the additional staff in the system from the initial £80m in 20/21 school year and the £60m in 21/22 school year	Yes

COSLA is clear that the £145.5m and £88m funding provided by Scottish Government only accounts for a small proportion of the funding required to pay the 54,000 teachers in Scotland. The vast majority of teachers are funded from core Local Government budgets, which have seen a real terms reduction over the last 10 years.

The recent independent report from the Institute for Fiscal Studies (IFS) on [Council and School Funding](#) highlights the pressure on council core budgets. The report makes clear that councils' spending on early years childcare and schools has increased in real terms during the 2010s (with an estimated increase of around 19% between 2009/10 and 2021/22), whilst spending on other council services fell substantially over the same period as cuts have fallen disproportionately on unprotected areas.

There are many limitations in focusing solely on specified funding streams without considering the interactions with core Local Government funding, the long-standing reduction in funding available to councils and significant pressures they face over the next year.

School staff

As set out in our last letter, while the teacher census can be useful, it can only provide a snapshot of staff in schools and does not reflect the complexities of a school's workforce. To reiterate what we set out in our last letter, between August to December 2022, data from myjobscotland showed there were:

- 630 permanent posts advertised, 282 fixed term posts and 243 temporary posts advertised.
- 1120 candidates being appointed (613 permanent appointments, 270 fixed term and 237 temporary).
- 13,174 applications made.

At 13th February, myjobscotland data from 30 councils showed that there were 397 teaching jobs advertised, with 236 of these being permanent jobs. We had also previously provided financial information which showed continued investment in school staff in our last letter. Considering this information in the round, it is difficult to conclude that Local Government is *not* investing in school staff, despite significant finance pressures – set out in further detail below.

It is also important to note that the Scottish Government and COSLA did not agree to use the census as the benchmark to monitor the use of the £145.5m. The joint Scottish Government/Local Government Settlement and Distribution Group recommended a light

touch approach to reporting. It was agreed that there would be reporting in November, March and June on the number and type of additional teachers and pupil support assistants recruited using this funding, the setting in which they are employed and employment status details (e.g. permanent, temporary, full-time, part-time). COSLA does not have a record of the Scottish Government initiating this work.

Your letter asks about the structural challenges and barriers facing Local Government when recruiting a skilled workforce for schools. It should also be noted that authorities face recruitment difficulties for teachers for particular subjects such as maths, sciences, and home economics. Councils areas that cover rural and remote areas also face challenges in recruiting teachers.

Class contact time

COSLA has aligned with Scottish Government in seeking to obtain an agreement with the teaching unions about the implementation in the reduction in class contact time. Currently we (COSLA and Scottish Government officials) have been unable to agree an implementation schedule, as the teaching unions have declined to agree it unless the additional non-class contact time is designated solely to be used for marking and preparation. COSLA officers and Scottish Government officials have suggested that the additional non-class contact time should be used more flexibly for activities related to raising attainment under the Curriculum for Excellence. It has not been possible to seek further discussion with the unions about this in recent weeks as a result of the ongoing dispute about the 2022/23 pay claim.

In terms of scheduling implementation of the reduction in class contact time, many councils indicated that it may be possible to achieve this earlier in primary schools than across all settings. It is understood that this would be undesirable from a union perspective as it would mean that teachers would have different terms in relation to class contact time and this would mean undermining the common terms and conditions enjoyed by teachers through the SNCT agreement. This obviously required further work across all parties.

Scottish Budget 2023/4

As we highlighted in our last letter, COSLA remains clear that funding available to Local Government is insufficient to meet the pressures facing councils. As we set out in our previous letter, last year COSLA's [Budget SOS](#) highlighted pressures of at least £1bn for Local Government in 2023/24. Our '[Education SOS](#)' warned if education services received their 'fair share' of pressures it could equate to 8,500 fewer teachers, or 16,000 fewer pupil support staff.

COSLA's [Budget Reality](#) highlights that Local Government will see just a £71m cash increase in 2023/24, once policy commitments are taken into account – this means only £71m to deal with inflation and pay across the entire Local Government, nowhere near the £1bn required.

No one in Local Government is comfortable or wants to be in the position of considering reducing services, particularly those relating to supporting children and young people. However, the Scottish Budget as it stands requires councils to take exceedingly tough decisions.

An already challenging budget setting process has been made more difficult with by the interventions by the Scottish Government. This approach is incongruous with other

recent commitments, including the desire of Scottish Ministers to form a new partnership with Local Government.

In November 2022, in response to the Scottish Government's commitment to consider the scope for flexibilities to support the funding gap councils face as a result of the 2022/23 pay deal, the Deputy First Minister wrote to Councils to confirm that "it is for individual councils, as democratically elected bodies, to consider the needs of their communities with a focus on the most vulnerable, their legal obligations and the totality of resource funding available to them, and to then take the decisions necessary, openly and transparently, to operate as effectively as possible within this context".

A further letter from the Deputy First Minister to the COSLA President on 15 December 2022, setting out the details of the Local Government settlement for 2023/24, had no mention of any conditions around teacher numbers and learning hours.

Scottish Government budget interventions

We were therefore disappointed that the Scottish Government set out plans for financial sanctions and legislation on 7th February. COSLA Leaders believe this approach:

- is short-sighted and counterproductive with regard to improving attainment and addressing inequality across Scotland's 32 Council areas.
- Does not recognise the extremely positive actions undertaken by Councils since 2015/2016 to exceed the pupil-teacher ratio targets requested by the Scottish Government.
- Does not respect the principle of subsidiarity and the devolution of powers and responsibilities to democratically elected spheres of Government.

Local Government requires more funding rather than more restrictions in order to maintain the local services that matter to our citizens and achieve the goals that we share with the Scottish Government.

COSLA continues to seek a constructive dialogue with the Scottish Government and have specifically asked that a pause to legislation and sanctions be considered, in order to engage with Local Government on how we can protect all the vital council services that support children and young people, including ensuring that the investment in school staff can continue.

We hope this letter is helpful ahead of the meeting of the Education, Children and Young People Committee meeting on 22nd February.

Yours sincerely,

Cllr Tony Buchanan
Children and Young People Spokesperson

Cllr Katie Hagmann
Resources Spokesperson