



OFFICIAL REPORT
AITHISG OIFIGEIL

DRAFT

Meeting of the Parliament

Tuesday 24 June 2025

Session 6



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Tuesday 24 June 2025

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Scottish Parliament

Tuesday 24 June 2025

[The Presiding Officer opened the meeting at 14:00]

Time for Reflection

The Presiding Officer (Alison Johnstone):

Good afternoon. The first item of business is time for reflection. Our time for reflection leader today is Dr Yekemi Otaru, chancellor of the University of the West of Scotland.

Dr Yekemi Otaru (University of the West of Scotland): Presiding Officer and members of the Scottish Parliament, thank you for this opportunity to share a few reflections. I am Yekemi and I am chancellor of the University of the West of Scotland, or UWS for short. That is still a sentence that I sometimes have to repeat to myself, because it is a long way from where my family started. My grandfather did not believe in educating girls. I have 12 aunties, none of whom went to primary school—that was just not the world that they lived in. If my grandfather could see me now, with five university degrees including two master's, running businesses, leading a local charity and now standing here as chancellor of a university, I think that he would be a bit shocked, but maybe just a little bit proud, too.

Coming to Scotland over 20 years ago brought me opportunities to learn, to grow and to lead in a welcoming country. Now, I have children of my own being educated here in Scotland. That is something that I never take for granted. It is about more than books and exams; it is about building confidence and shaping values. At UWS, we take that very seriously. Sixty seven per cent of our undergraduate students are 21 or older when they start. Many are returning to education after raising children, changing careers or just finally getting the chance that they missed earlier in life, and roughly 45 per cent are the first in their family to go to university.

I know what education has done for me. It has opened doors that I did not even know existed. It has helped me to start businesses, to build a career and, now, to give back through charity work. In my role as chancellor, I hope that I can be a role model for students who wonder whether people like them can lead too. Representation matters. Whether people see someone from their ethnic background, their gender or their community in a leadership role, it tells them, and especially young people, "You belong too."

As the Nigerian author Chimamanda Ngozi Adichie once said, "We should all be feminists". I

would add that we should all be champions of education, because when we educate and empower people, especially women, we do not just improve lives—we transform communities.

Today, I reflect with gratitude—gratitude for the teachers, the public servants, the institutions and the policies that make education possible, not just for people like me, but for every child with a dream bigger than their circumstances. Thank you.

Business Motion

14:03

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-18099, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, on changes to business. Any member who wishes to speak to the motion should press their request-to-speak button now.

Motion moved,

That the Parliament agrees to the following revisions to the programme of business for—

(a) Tuesday 24 June 2025—

after

followed by Topical Questions (if selected)

insert

followed by Ministerial Statement: Initial Response to the Gillies Review of University of Dundee Finances

delete

10.00 pm Decision Time

and insert

9.50 pm Decision Time

(b) Wednesday 25 June 2025—

after

2.00 pm Portfolio Questions: Constitution, External Affairs and Culture, and Parliamentary Business; Justice and Home Affairs

insert

followed by First Minister's Statement: Historical Policies Affecting Gypsy/Traveller Communities

after

followed by Ministerial Statement: The Scottish Government's Medium-Term Financial Strategy and Fiscal Sustainability Delivery Plan

insert

followed by Stage 3 Proceedings: Education (Scotland) Bill

delete

followed by Legislative Consent Motion: Employment Rights Bill - UK Legislation

followed by Legislative Consent Motion: Border Security, Asylum and Immigration Bill - UK Legislation

and insert

followed by Legislative Consent Motion: Public Authorities (Fraud, Error and Recovery) Bill - UK Legislation

delete

5.50 pm Decision Time

and insert

7.40 pm Decision Time

(c) Thursday 26 June 2025

delete

2.30 pm Parliamentary Bureau Motions

2.30 pm Portfolio Questions: Education and Skills

and insert

2.00 pm Parliamentary Bureau Motions

2.00 pm Portfolio Questions: Education and Skills

after

followed by Ministerial Statement: Ensuring the Right Support for Young People's Neurodivergence, Mental Health and Wellbeing

insert

followed by Legislative Consent Motion: Border Security, Asylum and Immigration Bill - UK Legislation

delete

followed by Legislative Consent Motion: Public Authorities (Fraud, Error and Recovery) Bill - UK Legislation

and insert

followed by Legislative Consent Motion: Employment Rights Bill - UK Legislation—[Jamie Hepburn]

Motion agreed to.

Topical Question Time

14:03

Infrastructure Use (United States Military)

1. Carol Mochan (South Scotland) (Lab): To ask the Scottish Government what discussions it has had with the United Kingdom Government regarding the use of Scottish Government-owned infrastructure by the United States military, in light of US air strikes on Iran. (S6T-02608)

The Cabinet Secretary for Constitution, External Affairs and Culture (Angus Robertson): I can confirm that issues relating to the conflict in the middle east, specifically around Gaza and Iran, were raised by the Scottish Government with the United Kingdom Government on 13 June at the British-Irish Council and, earlier today, by the First Minister with the Cabinet Office.

Carol Mochan will be aware that the recent United States military action in Iran was launched directly from American facilities in the USA and flights did not land in any other country, including Scotland. The UK Foreign Secretary said to the House of Commons yesterday that the UK had no involvement in the military action against Iran.

Carol Mochan will also be aware that the UK Government decides which flights can enter the UK. Ultimately, although the Scottish Government can—and does—make representations on the situation in Iran and related issues, those matters are the responsibility of the UK Government.

Carol Mochan: The cabinet secretary will know that Prestwick airport is in my region, South Scotland. Can he assure my constituents that sites such as Prestwick airport will not be used to facilitate attacks on Iran by the USA, nor to support Israeli aircraft, given that those efforts have no United Nations backing whatsoever? Will he also be clear about what US activity is currently happening at the Prestwick airport site?

Angus Robertson: As Carol Mochan might appreciate, I have been keen to understand as much as I can about the issue. I can give her the assurance that I have not seen any information that would support any conclusion about the direct involvement of Scottish facilities in military attacks on Iran. As I have already shared with her, it is a matter of public record that those were conducted by the United States through direct flights that were refuelled in the air from bases in the United States of America, and which attacked Iran and returned without going to any other base.

I understand Carol Mochan's more general point about Prestwick airport. If she has any information

that would support her concern, I will be grateful to hear it.

We remain in dialogue with the United Kingdom Government. Carol Mochan's party is in government in the UK; perhaps she would use her good offices to raise the issue with the responsible UK ministers. When it comes to devolved responsibilities, we will do everything that we can, but she will appreciate that there are limits.

Carol Mochan: I appreciate the cabinet secretary's response. I, too, take my responsibilities seriously. Will the cabinet secretary join me, as well as—I am sure—the majority of Scots and people across the world, in saying that we cannot engage in diplomacy through violence, that we must call for peace and that all our efforts towards peace must be peaceful. For our part, that must include not selling to the US or Israel weapons manufactured in Scotland that might be used to move the world closer to war.

Angus Robertson: I agree with Carol Mochan, and I appreciate the fact that she has taken the opportunity to cogently and persuasively make her case. We have a moral responsibility. I agree with her on that. Even if we can use only our voices, we should do so. As she knows, this Parliament does not have powers over foreign affairs. I would wish to change that; perhaps, in good time, I can persuade her that she should support that, too. In the meantime, we will use our voice to support peace and diplomacy.

The First Minister has made a number of statements that very much echo the position of the secretary general of the United Nations, António Guterres. We will repeat our view that we believe that only diplomacy will bring conflict to an end. I appreciate the way in which Carol Mochan has raised her questions this afternoon.

Stephen Kerr (Central Scotland) (Con): The United States has acted decisively to degrade Iran's nuclear capabilities. We must remember that Iran is a state sponsor of global terrorism. In such circumstances, we must stand firmly with our allies the United States and Israel in defence of international security. Can the cabinet secretary confirm whether any formal arrangements, including memoranda of understanding, exist to allow US military usage of Scottish Government-owned infrastructure such as Prestwick airport, and does he agree that such support is right and responsible?

Angus Robertson: I would have to check the status of memoranda of understanding, but I am not aware of any. However, Stephen Kerr will appreciate that it is a matter of public record that Prestwick airport is used by the United States Air

Force, the Royal Canadian Air Force and a number of air forces from the middle east.

The topical question today specifically relates to the situation in Iran. I was able to give the member who lodged the question the assurance—which I also give Mr Kerr—that Prestwick was not used as part of those attacks on Iran.

However, facilities in Scotland are obviously used by our allies. Given the concerns of a great many people in this chamber and among the public about what is happening in Gaza in particular, it is entirely legitimate that we ensure that we do everything that we can to support peace and a resolution for the people of Gaza, and, as I have often said to Stephen Kerr, for the hostages who are being held by Hamas, who should be released.

Jamie Greene (West Scotland) (LD): In 2023, it was reported that the airport had received a boost of more than £20 million through its military flight usage. Although it is hard to ascertain the true number, it has also been reported that, since 2017, the Pentagon has paid more than £70 million through some means or other for the use of Prestwick airport. It has also been used as a hub for North Atlantic Treaty Organization flights in order to send supplies to Ukraine, for example.

Given that the Scottish Government owns the airport, what impact would the removal of any military usage and loss of associated income have on the airport's ability to compete as a going concern—or, indeed, to be sold as a going concern, which I presume is still the Scottish Government's position?

Angus Robertson: The first thing to acknowledge is that Prestwick is an excellent airport, which is why it is used for both civil and military purposes. It is fair to say that the militaries of different countries often use bases; if they are dealing with military materiel, they tend to fly from one military base to another. In the UK, there are two bases that are operated by the Royal Air Force that have a significant US Air Force presence. That being said, as I have already said, Prestwick is used by the air forces of allied countries, which is entirely appropriate.

However, given the very legitimate concerns about what has been going on in the middle east, it is unsurprising to me that colleagues want to understand how we are operating things and that we are doing so as best as we possibly can; I, too, am keen to understand as much as I can.

Jamie Greene is absolutely right that Prestwick is an excellent airport that serves both civil and military flights.

Douglas Lumsden (North East Scotland) (Con): The majority of Prestwick's income comes

from fuel sales revenues, most of which are driven by military customers. Can the cabinet secretary confirm that Prestwick's use by the US Air Force directly contributes to the viability of the airport, which also means that the Scottish Government, as the airport's owner, benefits financially from the US Air Force refuelling at the airport?

Angus Robertson: As I have pointed out to colleagues, Prestwick is a facility that is used for both civil and military flights. What is true for US aircraft using the facilities is true for aircraft from other allied air forces that also use what is an excellent airport. I foresee that continuing.

That being said, I am sure that the Presiding Officer would wish me to bring my remarks back to the actual subject, which relates to Iran. It is important to differentiate between the general use of a facility for military purposes and other use. However, I was able to give the chamber an assurance, because it is a matter of public record, that the American attacks on Iran took place from the United States of America and did not involve any military facilities in any other country, least of all Scotland.

Community Payback Orders (Breaches)

2. **Sharon Dowe (South Scotland) (Con):** To ask the Scottish Government what its response is to reports that there were almost 30,000 breaches of community payback orders in the last 11 years. (S6T-02606)

The Cabinet Secretary for Justice and Home Affairs (Angela Constance): Presiding Officer, 78 per cent of community payback orders that finished during 2023-24 did not involve any breach applications during the duration of the order. When a CPO is breached, it is up to the independent courts to decide the most appropriate outcome, based on all the circumstances of the case, and that might include the imposition of a custodial sentence.

Community payback orders are a flexible and robust disposal, with a consistently lower reconviction rate compared with short prison sentences. That is why our budget for 2025-26 includes an additional £11 million in support for community justice services.

Sharon Dowe: Community payback orders are frequently handed down as an alternative to custody, including in cases of violence and domestic abuse. It should follow that, when such an order is breached, criminals should be considered for a custodial sentence. Shockingly, however, only 26 per cent of CPO breaches led to a prison sentence in that period, while even more criminals simply got another community payback order right after breaching the first one.

The very least that Scots expect is that criminals should carry out the sentence that they have been given, or face consequences if they do not, including going to prison. In response to that scandal, will the Government bring in tougher sanctions for criminals who violate community payback orders, and ensure that actions have consequences?

Angela Constance: It is for the courts to decide what proper punishment is. A community payback order is a high-tariff community disposal. It is flexible and robust, and it can be enhanced. It can involve someone being tagged or restricted to a curfew, and it can be combined with a restriction of liberty order or a restricted movement requirement.

Ms Dowey has not indicated that, over the period in her question, which is 12 years, the 29,500 CPOs that were revoked due to a breach amounted to 16 per cent of the total number of CPOs, meaning that 184,424 community payback orders were completed or terminated.

Sharon Dowey: I do not think that victims will be reassured by that response. The Scottish National Party has been clear that it wants more community payback orders and fewer people in prisons. We see that in its two-tier sentencing guidelines for under-25s, presumption against short sentences and early release of hundreds of prisoners. It should be a source of embarrassment for the Government that so many criminals thought that they could get away with breaching the terms of their sentence. It is more embarrassing still that, in the majority of those cases, there were apparently no meaningful consequences.

There is also a lack of transparency. More than 2,200 criminals were issued with other penalties, and more than 7,300 were issued with other outcomes, but the SNP Government does not state in its data what that means. Almost 2,000 were listed as "Outcome not known". That is not good enough. If the Scottish Government is not serious about criminals completing their punishment, why should we expect offenders to respect their sentence?

Angela Constance: The facts of the matter are that, in 2023-24, 71 per cent of community payback orders were completed and 78 per cent did not involve any breach. Nearly 30 per cent of CPOs that were revoked due to a breach resulted in a custodial sentence and another 30-plus per cent resulted in a new community payback order. As I said, CPOs can be enhanced and made more onerous for individuals. It is entirely right that people have to pay back to communities, as opposed to the taxpayer paying for a short-term sentence that, at the end of the day, is less effective.

Monetary penalties can also be issued for those who have breached a CPO. The other penalties that are issued can include a drug treatment and testing order or even a restriction of liberty order.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): Community payback orders make a significant contribution towards the wider objective of strengthening alternatives to custody and ensuring that our prisons are used for those who should be there. Will the cabinet secretary provide an update on what assessment the Scottish Government has carried out in relation to community justice and reoffending rates?

Angela Constance: The evidence is clear that community sentences are more effective in reducing reoffending than short prison sentences of up to 12 months. Community disposals may also provide greater opportunities for rehabilitation, leading to fewer victims and safer communities. Specifically, the reconviction rate for those given community payback orders in 2020-21 was just under 28 per cent, compared with more than 50 per cent for those who completed custodial sentences of one year or less. Protecting victims and the public from further harm is our absolute priority, and that is entirely consistent with our approach to community justice.

Katy Clark (West Scotland) (Lab): When there is a custodial sentence, the justice system ensures that the offender complies with that sentence. However, when there is a non-custodial sentence or, indeed, an electronic monitoring order, a high percentage of those are not enforced. What is the cabinet secretary doing to ensure greater compliance with community disposals?

Angela Constance: As I have demonstrated in my answers to Ms Dowey and other members, there is a high compliance rate with community disposals. However, crucially, where there is non-compliance, it is a matter for the courts to decide what other punishment is appropriate.

The Presiding Officer (Alison Johnstone): That concludes topical question time. I will allow a moment or two for front bench members to reorganise themselves.

University of Dundee Finances (Gillies Review)

The Presiding Officer (Alison Johnstone):

The next item of business is a statement by Jenny Gilruth on an initial response to the Gillies review of University of Dundee finances. The cabinet secretary will take questions at the end of her statement, so there should be no interventions or interruptions.

14:21

The Cabinet Secretary for Education and Skills (Jenny Gilruth): Scotland's universities are anchor institutions in our communities, acting both locally and globally. Put simply, they are woven into the very fabric of Scotland's identity.

Before I turn to the substantive matters of today's statement, I acknowledge the deep concern, uncertainty, and distress that many of the staff, students and members of the wider community of the University of Dundee have felt in recent months. I have witnessed that at first hand, having engaged with trade unions directly over recent months and having met with staff at the university's school of life sciences.

At the heart of Dundee university is a community of people who care deeply about the future of the institution. My focus—the focus of this Government—is on ensuring that the University of Dundee emerges from this crisis stronger than ever.

Before we can move forward to secure that future, the university must respond to the urgent and clear conclusions of Professor Pamela Gillies's report on financial oversight and decision making at the University of Dundee.

We have already seen individuals at the university take decisive action, with changes at a senior level being announced last week. That is welcome, and it must be the start of a process not just to appoint fresh leadership but to restore confidence among staff.

I am encouraged that Professor Nigel Seaton, formerly principal of Abertay University, will take on the role of interim principal on a short-term basis, and Ian Mair, who is deputy chair of court, will step in as interim chair of court. Elections will, quite rightly, take place for a new chair of court over the summer. I put on record my gratitude to the wider sector and to Universities Scotland for their collaborative efforts in supporting the University of Dundee.

Turning to the Gillies review, I sincerely thank Professor Pamela Gillies and her investigation team for the robust report that has been produced.

I thank everyone who gave evidence to the review and I extend my gratitude for a thorough and insightful report that has uncovered the events leading to this situation. Indeed, there is much detail in the report alongside important recommendations for the university to consider. The overall themes include a breakdown in governance and processes at a leadership and court level, as well as a culture that did not cultivate openness and challenge; issues with financial management, reporting and oversight; and missed opportunities to raise and respond to a worsening financial situation.

Professor Gillies outlines that, although the Scottish Funding Council's financial memorandum and code of good higher education governance in Scotland are fit for purpose, and that the university was obliged to comply with them, it did not do so. The code provides a framework for effective management and governance arrangements, but the university failed to operate effectively in practice.

Professor Gillies notes that there were inconsistencies and gaps in the information reported to the university's executive group, finance committee and court. However, information was produced which, with appropriate challenge, should have signalled warnings from March 2024, if not earlier.

Although many of the recommendations are, quite rightly, a matter for Dundee university to respond to, ministers have already held early discussions with the Scottish Funding Council to consider what more we might seek to do to strengthen governance in our institutions. It is right that we do that, given the public interest in our universities.

With that in mind, I turn to the actions that the Scottish Government is taking to support the university at this difficult time. I make it clear that this is not about rewarding failure, but about responding to an unprecedented and unique situation that threatens much of what we hold dear in our university sector: students' futures; Dundee university's contribution to health and other sectors; the vitality of our communities; and the profound impact that the university has on the wider city region.

Colleagues will recall the announcement earlier this year of £25 million from the Scottish Government to the sector, of which £22 million was directed by the Scottish Funding Council to the University of Dundee. The Scottish Government is determined to do everything that we can to secure a positive future for Dundee university. That must be achieved through the delivery of a sustainable, long-term recovery plan in which public financial support will work alongside commercial and private investment to

ultimately end reliance on extraordinary public funding.

To that end, ministers are keen to see progress at pace from the university to deliver that plan. We will, accordingly, develop appropriate conditions for the funding, working closely with the SFC, and only when that plan is in place will funding be released. The university's journey towards immediate and longer-term sustainability will continue to be supported by the on-going work of the strategic advisory task force, chaired by Sir Alan Langlands, which is expected to complete its work in July.

Members understand that our universities are independent and autonomous institutions. In normal circumstances, decisions on the allocation of funding to individual institutions are, quite rightly, the responsibility of the SFC. However, this is a unique and unprecedented set of circumstances that requires a unique and unprecedented response. Where there has been the appearance of financial mismanagement at an institution, Scottish ministers are obliged to consider whether it is necessary or expedient to issue a direction to the SFC about the provision of financial support.

Subject to the public value test that I have set out today, Scottish ministers consider that it is both necessary and expedient for a direction to be issued to the SFC under section 25 of the Further and Higher Education (Scotland) Act 2005. The use of that power is unprecedented and has been made necessary by the exceptional circumstances at the university, as set out in the findings of the Gillies report, which recounts

"poor financial judgement ... and weak governance".

However, the process as set out allows for ministers to target a direct settlement to the University of Dundee, and to place specific conditions on that funding in this unprecedented set of circumstances. I can confirm, therefore, that the Scottish Government will provide funding in principle of up to £40 million over two academic years, or three financial years, via the Scottish Funding Council, to support the University of Dundee. That funding is subject to further due diligence prior to any expenditure occurring.

The SFC will continue to support the university in its development of a robust and deliverable recovery plan, which leverages commercial lending. However, there remains a liquidity gap. Dundee university estimates that gap to be in the region of between £45 million and £60 million across the next two academic years. That figure is also likely to be impacted by progress at the university to reduce expenditure and stabilise income.

Colleagues will understand that that figure requires to be further interrogated by the Scottish Funding Council. The SFC has been advised by Dundee university that, although this is not an immediate cash need, it will need to be addressed before the end of the current financial year. It is, therefore, vital that the university works to secure a plan that will allow for commercial lending to support some, or all, of that liquidity ask. The Government will, of course, consider all avenues and other support that we can provide to achieve that end.

I want to provide reassurance today to the wider higher education sector that the additional funding to Dundee university will not impact on the funding that is available from the SFC to any other institution. In doing so, I recognise that many institutions have, over recent years, worked proactively in response to a challenging operating environment to rationalise their operations, including their staffing levels. However, there is a need for our universities to reflect on the levels of growth that we have witnessed in some institutions during the pandemic in particular. Some of the planned job losses that are currently being experienced relate directly to that uncapped expansion; the costs that are being paid today are the unsustainable jobs that were created as a result of that.

Although Dundee university's finances might be unique, its approach to investment in the international student economy is not, so there is a lesson in Dundee university's experiences that other institutions should be mindful of.

Clearly, Dundee university will need time to fully work through the challenges that the Gillies review presents, and to respond accordingly. Ministers will support that endeavour through the auspices of the Scottish Funding Council, and the SFC will provide an update to the Education, Children and Young People Committee on its associated next steps. Ministers will provide a further update to Parliament early in the new term.

I have appreciated the cross-party engagement with local members, and I give colleagues an undertaking today that that engagement will continue as we progress with the associated next steps.

Finally, I offer my personal thanks to the trade union representatives at Dundee university. Their leadership and support to their members at this time has been invaluable.

A line must now be drawn under the mistakes of a collective few, and jointly, across this chamber, we must endeavour to support Dundee university to rebuild, thrive and, once again, flourish. The city of discovery should expect no less.

The Presiding Officer: The cabinet secretary will now take questions on the issues raised in her statement. I intend to allow around 20 minutes for questions, after which we will move to the next item of business. Members who wish to put a question should press their request-to-speak buttons.

Miles Briggs (Lothian) (Con): I thank the cabinet secretary for advance sight of her statement and I express my concern for staff and students at Dundee university at this time.

When universities across Scotland are experiencing serious concerns about their future financial sustainability, I do not think that it is wise for us to say that we want just to draw a line under the mistakes that have been made at Dundee university. The cabinet secretary's statement shows that, even after the steps that the Government has taken, there will be a potential £20 million black hole in the university's finances over the next two years. If a bailout of £20 million is needed over the next two years, what will be the Government's plan B to fund the gap?

Given Wendy Alexander's allegations at the weekend, what police investigation might be undertaken into criminality at the university?

Jenny Gilruth: I thank Mr Briggs for his questions and I share his concern for staff and students. I am conscious that we are tight for time, but he mentioned a number of factors, and I will address each in turn.

I have not explicitly touched on the wider external factors, but there is no doubt that the changes to international immigration rules—which were, of course, introduced by Mr Briggs's party—have hampered our institutions. We know that that was a factor in Dundee, and that is set out in Pamela Gillies's report. Brexit has also been a factor for Dundee—again, the report addresses that.

Mr Briggs talks about drawing a line, but that is not the Government's position at all. If he considers the totality of the recommendations, they are, in the main, quite rightly a matter for Dundee university. However, I have been clear today that ministers want to assure ourselves about approaches to governance. Mr Dey and I met the chair of the Scottish Funding Council only yesterday. He was very clear that, had the university adhered to the good practice guide that exists for all higher education institutions in Scotland, there would not have been an issue. As I identified in my statement, that is not what happened. However, we want to assure ourselves of what more we might do to strengthen governance in that respect.

Mr Briggs has identified a £20 million funding gap that I am not familiar with. The funding that I

announced today is the totality of the ask from the university to date. That has been met. We also made available to the sector £25 million, of which £22 million was directed to Dundee earlier this year. We will continue to work with the university.

Finally, in response to the question about the next steps, plan B is—rightly—a matter for the university. However, the Scottish Funding Council is working to support the university, which needs to come forward with a long-term strategic plan to allow the university to thrive into the future.

There was a final point in relation to potential criminality, which I addressed in interviews last week. I have heard some of the challenge from Wendy Alexander about the culture in the organisation, which is also spoken about in the report. The Scottish Funding Council and Professor Pamela Gillies have assured me that they found no evidence of criminality. However, that is a matter for the appropriate authorities, and not for ministers, to comment on.

Michael Marra (North East Scotland) (Lab): I thank Professor Gillies for her report, which lays bare the financial vandalism of three individuals in particular. There is real relief in Dundee that there is now a greater understanding and acknowledgement of the conduct of management and the collapse of effective governance at the university. We all have to focus on building a sustainable future for the city's most important institution.

The university submitted a request for a further £100 million to the Scottish Government on 30 May, which was 25 days ago. Almost one month on from that, will the cabinet secretary set out to us what additional scrutiny of that request is required?

The cabinet secretary acknowledged that income growth from international recruitment is not a realistic option for Scottish universities. Where will Dundee university find the money to repay up to £60 million of loans, whether that is from the Government or from a commercial source? The Scottish Government has already given the green light for 300 jobs to be cut but, without income growth, will further cost cutting not be inevitable? How does the cabinet secretary think that that circle can be squared?

Jenny Gilruth: Michael Marra has raised a number of points. He mentioned the relief that is being felt in Dundee university. That was palpable after the Government's first announcement on funding—I met staff on that very day, earlier this year. I have since heard from trade union members about their feelings on the back of the report that was published last week. I have also very much felt the frustration throughout the engagement that Mr Dey and I have had with staff.

Mr Marra is right to talk about a sustainable future. He spoke about the liquidity ask in the context of what I have announced. I have set out that the £40 million that has been requested will be met over the next financial years; that has been confirmed by the Scottish Government. We are required to undertake further due diligence with the university, which will be undertaken at pace with the Scottish Funding Council. Mr Marra should also be mindful that the outcome of the report, which was published only on Thursday, impacted on the way in which ministers were able to award the funding that I am talking about. The use of the section 25 power is unprecedented, and it requires us to reflect on the unique situation that exists in Dundee. We will continue to work with the university leadership on the next steps.

In my statement, I rightly talked about the need for additional funding to come from other sources that are not public—for example, via banks and commercial opportunities. Mr Marra will be aware of some of the challenges that the university has faced in that regard, which are spelled out in the report. Had lending been an available financial option for the university, it would not have found itself in such a challenging position. We will continue to work with the university to support its growth, which is vital for the institution, the city and the wider city region.

Joe FitzPatrick (Dundee City West) (SNP): I welcome the announcement of support from the cabinet secretary and her decision to use the section 25 power. I also appreciate how much ministers have been engaging with me and other MSPs, who have largely worked on a collaborative basis across party lines.

My focus remains on the staff, who have been badly let down by the university's management and who understandably remain angry and anxious. Will the cabinet secretary outline how the Scottish Government's financial support will help to save jobs in Dundee? Will she assure staff that steps will be taken to fully remove the threat of compulsory redundancies?

Jenny Gilruth: I thank Joe FitzPatrick for his engagement as the local constituency MSP. It is simply unacceptable that staff and students should suffer because of historical leadership and governance failures. The £40 million of funding that I have announced for the next two academic years will give staff and students confidence and will help to return the university to the thriving institution that we all want it to be. The money is needed to support that development and the delivery of the sustainable long-term recovery plan that Mr Briggs rightly spoke to. As I mentioned in my response to Mr Marra, public finance will work alongside commercial and private investment to ultimately end the reliance on extraordinary public

funding. I will continue to consider all avenues and other support that might be needed.

Maurice Golden (North East Scotland) (Con): The Scottish Government providing £40 million to the University of Dundee, subject to due diligence, is very welcome. However, the liquidity gap of between £45 million and £60 million will remain across the next two academic years. Do those estimates factor in the expected recruitment challenges in the domestic and international markets as a result of a reduction in the number of courses and reputational damage? Will the Scottish Government offer any long-term assurance on that liquidity gap beyond what the cabinet secretary has highlighted today?

Jenny Gilruth: Mr Golden hits on an important point, and I welcome his support for the £40 million that has been announced. There are issues in relation to the estimates that have been provided to ministers, and we will have to reassure ourselves of the totality of the ask from the public purse.

Mr Golden rightly speaks to the impact of international immigration—of course that will be a factor. Indeed, there will be fluctuating factors in the years to come that will impact on the totality of that figure. We are therefore working with the Scottish Funding Council to reassure ourselves about that final figure.

However, we are also asking the university to look more widely at other sources of funding, because there is not a sustainable future without that. I do not think that any of us here accept that the Government should directly provide on-going funding. We need to work with the university to allow it to come up with a plan that sets out a sustainable future, which was the point that Mr Briggs quite rightly made.

I agree with the member's points. We will continue to engage with the Scottish Funding Council on reassuring ourselves of the totality of the liquidity ask.

Audrey Nicoll (Aberdeen South and North Kincardine) (SNP): The Leverhulme research centre for forensic science at the University of Dundee provides a range of crucial forensic services in Scotland. Recent evidence that was provided to the Criminal Justice Committee's inquiry on substance misuse in prisons described the drug testing service provided by the centre as "critical". I understand that nine core-funded staff are at risk of redundancy, which risks the future of the drug testing work for the Scottish Prison Service and for the planned national drug testing laboratory for Scotland.

Will the cabinet secretary provide an update on the work that is being done to secure the future of the centre, given its importance to the delivery of

justice in Scotland? Will she provide clarity on the university's recent statement that forensic science will continue to be delivered as part of its portfolio, while pressing ahead with possible redundancies for all its research-active and core-funded forensic science staff?

Jenny Gilruth: I thank Audrey Nicoll for raising a hugely important point. Dundee university's contribution to our national and international forensics, justice and law enforcement policy is of significant importance, and the Government has made strong representations to the university about the importance of retaining its strength in forensic sciences.

To reassure Ms Nicoll, I highlight that the Cabinet Secretary for Justice and Home Affairs is a member of the cross-Government group on Dundee, which is led by the Deputy First Minister. That is because we recognise the critical importance of the university's forensic science capabilities, which must be protected into the future. The Scottish Government and the Scottish Funding Council will continue to offer the university support to ensure that it fully explores all available options to maintain its significant research expertise as part of its pathway to financial recovery.

I understand that the situation at the Leverhulme research centre relates to external research funding, which was already due to come to an end prior to the situation with Dundee university's finances arising last November. However, I absolutely appreciate that this will be a really anxious time for staff, and I have asked my officials to engage with the Scottish Funding Council and other relevant stakeholders to explore options in order to optimise forensic capability at the university.

Pam Duncan-Glancy (Glasgow) (Lab): The report uncovers some awful failures, and I welcome the cabinet secretary's commitment to progress the wider governance lesson for the sector. I would ask that, in doing so, she works with universities and the trade unions.

However, we should not ignore the fact that, although Dundee has experienced unique problems, the sector is in dire straits, with many institutions having to make cuts, resulting in job losses and fewer students from deprived areas going to university. The entire sector has endured little more than managed decline on this Government's watch, with year after year of cuts and being told that there is no more money.

Can the cabinet secretary tell us where the £40 million is coming from?

Jenny Gilruth: Our universities in Scotland do not exist in a silo. They are impacted by policies that exist across these islands, not least, of

course, international immigration rules. I am sure that the member will want to reflect on the role of those rules in relation to the findings of Pamela Gillies's report. The University of Dundee was also impacted by Brexit, and that is set out clearly in the report. Finally, I mention the increase in employer national insurance contributions, which Universities Scotland estimates could cost the sector in Scotland up to £45 million.

I am sure that Ms Duncan-Glancy will urge her Labour colleagues to consider what more they could do to help to alleviate the pressure on Scottish institutions and on those across the United Kingdom. I will, of course, give her an undertaking that we will work with the trade unions and on a cross-party basis in relation to our continued work to support Dundee university.

Stuart McMillan (Greenock and Inverclyde) (SNP): Despite claims made by Conservative and Labour members last week, Professor Gillies clearly outlines the impact of a number of policies implemented by past and previous UK Tory and Labour Governments, including restrictive immigration policies, national insurance rises and Brexit. What is the cabinet secretary's assessment of how those Westminster policies have done further damage to the University of Dundee?

Jenny Gilruth: As I have just alluded to in my response to Ms Duncan-Glancy, the UK Government has a role to play here. It could help by recognising the impact of its policies that are damaging university finances, not just in Scotland but across the United Kingdom. Brexit, which I mentioned previously, national insurance rises and those immigration policies are all the responsibilities of another Government. It would be welcome if we could have a team approach to supporting the sector in Scotland that recognises where other responsibilities rest.

It does not need to be this way. The UK Government could support our plans for a Scottish graduate visa, or it could provide consequential support for universities for employer national insurance contributions.

We are stepping up for universities in Scotland. I urge Labour members in particular to consider what more their Westminster colleagues could be doing, too.

Maggie Chapman (North East Scotland) (Green): The cabinet secretary highlights the Gillies report's call for openness and transparency, but already the interim leadership team is showing little sign of change. I have heard concerning reports that the democratically elected student representative on the court is being asked by the interim chair to not attend handover court meetings where the report is being discussed. There has been no attempt yet to include new

voices from unions, Dundee University Students Association or the incoming rector in the development of the action plan, which is due later this summer.

Does the cabinet secretary agree that there is no justification for excluding court members from court discussions when there is no conflict of interest? What more can the Government be doing to ensure that the culture change that is needed starts now and that discussions about the future are inclusive, open and transparent?

Jenny Gilruth: The member has set out a range of factors that I am not familiar with. The important point to take from my statement today is that we all must come together to work to support a viable future for the university. I do not think that it would be appropriate for me to comment on the specific minutiae that the member has set out in relation to the role of the university court.

However, I understand that the deputy chair of court was appointed by the court of Dundee university by correspondence last week, on 16 June. The appointment was for the court and was made by the court. Professor Seaton was the university's choice for interim principal, and any dialogue with the Scottish Funding Council on that decision was about the process, in order to ensure that the university was following its governance processes; I think that that gets to the essence of the question that I have been asked. My understanding is that processes have been followed appropriately, but I am more than happy to engage with the member and the trade unions on the substance of her point.

Willie Rennie (North East Fife) (LD): I will have the opportunity later this week to question the former leadership of Dundee university. I am concerned today about its future, because that is far from certain.

The money that has been made available is good—I am really pleased about the £40 million—but it is only for two years. To avoid future job losses, on top of the 300 jobs that are already going, there will need to be a significant increase in income growth. If that does not happen, more job losses could come, but people do not believe that it is realistic to expect a significant increase in growth in such a short period of time.

If the university comes back to this position, will the Government step in again to prevent future job losses?

Jenny Gilruth: I thank Mr Rennie for his question and his participation in the round tables that we have held with local members. He says that he welcomes the £40 million of funding that was announced today.

I do not want to be back here in two years' time talking about additionality for the sector and, in particular, for Dundee university. Our purpose in providing the funding that was announced today is unique and unprecedented. That is why ministers have been advised to use the section 25 power, which is very different from the approach that we took earlier in the year, if Mr Rennie recalls, when we announced wider funding for the sector, of which Dundee university received £22 million in support.

This goes back to the essence of Mr Briggs's question, which was about a plan and a sustainable look to the future. The leadership of Dundee university has to come forward with that plan at pace. The Scottish Funding Council has been working to support the university in that regard. The plan will require a look at extra sources of funding that are not public money, because public money alone is not a sustainable way in which to fund our autonomous, independent universities.

We will continue to work with the university sector. We have provided that £40 million of support thus far in addition to the £22 million of support. We will continue to work with the university on the liquidity ask to that end and on leveraging in wider investment, which will be critical to Mr Rennie's points about growth.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Despite the financial challenges and declining international student numbers, it seems that Dundee university's senior management hired more staff and continued to spend money without control. Professor Gillies's review points to a failure of leadership. Leaders of the university's court and members of senior management, including former Scottish Labour leader Wendy Alexander, who is now a Labour peer in the House of Lords, have let down the university's staff and students. Does the cabinet secretary agree that the university requires fresh, strong leadership going forward? Will she reiterate how the Scottish Funding Council is working with the university to support it?

Jenny Gilruth: I fully agree with the sentiment behind Ms Mackay's question. I understand that there is a need for interim leadership, as members will well understand, but the long-term plan that I spoke about in response to Mr Rennie must be put in place as soon as possible. I very much welcome the appointment of Professor Nigel Seaton as interim principal and Ian Mair as interim chair of court before the elections for the permanent chair are run over the summer.

Although the leadership is ultimately a matter for the university, I reflect that, whatever process is used to address the leadership gap, it should look to appoint effective leaders and to restore

confidence in the court and the executive team. The Scottish Funding Council has been supporting the university, including through convening support from leaders elsewhere in the university sector.

Douglas Ross (Highlands and Islands) (Con):

The Gillies report sets out a timeline and a series of decisions that reek of incompetence and corruption. I listened to the cabinet secretary's earlier response in which she said that, based on the Gillies report, she does not believe that the level of criminality has yet been breached. However, if further information comes forward or if that subjective view alters, can she confirm that the Scottish Government will fully co-operate with any criminal investigation surrounding Dundee university and the people who are in charge of it?

In response to an earlier question, the cabinet secretary said that the court elected the interim chair on 16 June. However, 16 June was last Monday, which was several days before the Gillies report was published, and we were all told that, immediately after the publication of the report, the chair of the court resigned. Did the cabinet secretary misspeak when she said that it was on 16 June, or were people resigning from the court and the top of Dundee university before the report was even published?

Jenny Gilruth: On that final point, I clearly have the date inadvertently wrong in my speaking note, so I will seek to correct the record at a later date.

In relation to the thrust of Mr Ross's question, I agree with him on the damning verdict of the report. He talked through the timeline. On reading the report last week, I was struck by the fact that, throughout, there were various points at which intervention could and should have happened. The failure to take that opportunity has led us to where we are today.

Mr Ross mentioned alleged criminality, which I think was also mentioned by Mr Briggs. I have already sought assurances on that matter from the Scottish Funding Council and Professor Pamela Gillies. They were both clear that there was no evidence of criminality, but I wanted to assure myself of that point. The Government would of course co-operate with any inquiry in that regard.

The Presiding Officer: I am keen to include all members who have pressed their request-to-speak buttons, so concise questions and responses would be appreciated.

Collette Stevenson (East Kilbride) (SNP): Although the Scottish Government is ultimately not responsible for governance at the University of Dundee, the Scottish Government should still encourage all employers and institutions to follow the fair work principles of good engagement with employees and trade unions to bring everyone to

the table. Will the cabinet secretary provide an update on the latest Scottish Government engagement with employees of Dundee university and trade unions to ensure that their voices inform the Scottish Government's work going forward?

Jenny Gilruth: As I mentioned, the Minister for Higher and Further Education; and Minister for Veterans and I have met trade unions a number of times. Mr Dey met campus unions last Thursday, following the publication of the review. We continue to have a useful dialogue with the unions, and we have been supporting relationship building with the executive team.

I draw members' attention to the work of the task force, which is chaired by Sir Alan Langlands, in ensuring that voices are being heard. The task force, which has now met three times, brings together a wide range of key stakeholders, including trade unions, Dundee City Council, other universities, enterprise and skills bodies, the national health service, businesses and student representatives.

Liz Smith (Mid Scotland and Fife) (Con): Given all that has happened, does the cabinet secretary consider that a case will be made to review the Higher Education Governance (Scotland) Act 2016, about which the Parliament deliberated very long and hard?

Jenny Gilruth: The historic passage of that legislation was a topic of discussion at Cabinet this morning, which is why I hear the First Minister chuckling at Liz Smith's point.

I have not had that case presented to me thus far. I discussed the issue at length with the chair of the SFC yesterday and with Mr Dey, and we also discussed it with the SFC last week in relation to governance changes. The SFC's view, and that of Pamela Gillies, is that enough guidance is in place. However, I am aware from our engagement with the chair of the SFC that wider work is currently happening across the UK to look at the strengthening of governance in institutions, and I have committed that we will engage with the SFC to that end.

John Mason (Glasgow Shettleston) (Ind): Both the internal and external auditors appear to have given the university's July 2023 accounts, which would not have been completed until about the end of 2023, a clean bill of health. Does it surprise the cabinet secretary that the auditors do not seem to have picked anything up?

Jenny Gilruth: I have read some of the auditors' commentary in the press. I am advised that the activity and cost of the audit process is currently being undertaken by the SFC, but I understand that the university is meeting auditors today, if that gives Mr Mason some comfort.

EY has also stated that it is unable to give an audit opinion without knowing the outcome of the investigations that the university has been subjected to, which I think Mr Mason was alluding to. I will await the outcome of today's university and auditors meeting and further advice from the SFC.

The Presiding Officer: That concludes the ministerial statement on the initial response to the Gillies review of University of Dundee finances. I will allow a brief moment for front-bench members to reorganise before the next item of business.

Budget (Provisional Outturn 2024-25)

The Presiding Officer (Alison Johnstone): The next item of business is a statement by Ivan McKee on the 2024-25 provisional outturn. The minister will take questions at the end of his statement, so there should be no interventions or interruptions.

14:57

The Minister for Public Finance (Ivan McKee): I welcome the opportunity to update Parliament on the provisional outturn against the budget for the financial year 2024-25. The provisional outturn demonstrates once again that this Government is prudently and competently managing Scotland's finances while protecting our priorities and ensuring that we have sustained effective delivery of public services.

Once again, managing the financial position for 2024-25 was a challenge. The continued impact of inflation, pressure on public sector pay and wider geopolitical instability meant that careful consideration had to be given to balancing the Scottish budget. As members know, we cannot overspend our budget, even by a single penny, and we cannot underspend in excess of the Scotland reserve limit, which is just over £700 million. Over and above that, we have limited fiscal levers and cannot borrow to meet day-to-day costs. Savings remain our main source of funds for managing emerging pressures. In September 2024, the Cabinet Secretary for Finance and Local Government set out to Parliament the difficult choices that were being taken.

Stronger overall provisional revenue performance from the fully devolved taxes than initially forecast, together with the additional funding that was received from the United Kingdom Government last October and the spending controls that we introduced, enabled us to achieve the cabinet secretary's stated aim of removing all use of ScotWind revenues to support the wider budget in 2024-25. That has allowed us to target those revenues on investments in a range of net zero projects for the longer-term benefit of Scotland. Resource borrowing was also eliminated, which reduces the cost of borrowing that future budgets will need to fund, while capital borrowing was significantly reduced. All those actions help to ensure that we remain fiscally sustainable.

However, the outlook is still challenging. New threats to economic stability continue to emerge at a global level. We continue to see inflation above the Bank of England target of 2 per cent, which

puts pressure on public sector pay deals to ensure that pay remains fair and competitive.

The UK Government spending review, which was announced on 11 June, confirmed that the rate of growth in the block grant had fallen below previous expectations, with the block grant growing by only 0.8 per cent in real terms year on year, which is considerably lower than the 1.5 per cent average growth in UK departmental spending. In addition, changes to employer national insurance contributions have not been fully funded for Scotland, and UK Government changes to benefit policy are expected to have a significant negative impact on funding in future years.

The impact that those changes will have on our financial planning will be set out to Parliament tomorrow in the medium-term financial strategy, but growing pressures in future years mean that we must act prudently and responsibly to remain fiscally sustainable.

Despite those challenges, we have continued to deliver for Scotland. In 2024-25, we supported fair and affordable pay deals for workers who provide our essential public services, thereby securing the continuity of those services and minimising the need for the sort of costly action that we saw in other parts of the UK. As the UK pay review bodies have recently demonstrated, current global socioeconomic pressures mean that Governments must look beyond their original budgeted costs. By using effective financial management, we were able to offer pay deals that were £600 million greater than planned.

In 2024-25, we invested more than £5.9 billion in social security assistance, which directly supported more than 1.4 million people across Scotland. That figure included the allocation of £456 million to the Scottish child payment. That benefit, which is unique to Scotland, helped around 328,000 under-16s and lifted an estimated 60,000 children out of relative poverty in 2024-25.

Following successful pilots, the carer support payment and the pension-age disability payment were extended nationally, ensuring that carers and individuals with disabilities of pension age now receive regular support in all areas. We also introduced the Scottish adult disability allowance, which replaces the UK disability living allowance and benefits more than 430,000 disabled people.

Scotland's economy and labour market have remained resilient despite challenging economic headwinds. Scotland's economy grew by 1.2 per cent in 2024, compared with growth of 1.1 per cent in the UK as a whole, and it strengthened from 0.5 per cent growth in 2023. Scotland's claimant count unemployment rate was 3.5 per cent in May, which remains below the UK rate of 4.5 per cent,

and our median monthly pay for payrolled employees in Scotland, which was £2,542 in May, remains higher than the figure for the UK as a whole.

Scotland continues to show the largest long-term reduction in greenhouse gas emissions of all the UK nations, and we are committed to achieving net zero by 2045. In 2024-25, we spent £16.2 million on just transition fund activities, brought the new-build heat standard into force, delivered an additional 1,623 public charging points for electric vehicles and restored 14,860 hectares of degraded peatland. We also passed the landmark Circular Economy (Scotland) Act 2024, thereby establishing the legislative framework to support Scotland's transition to a zero waste and circular economy. That is complemented by our circular economy and waste route map to 2030, which will help us to achieve our sustainable resource and climate goals.

We have continued to support and deliver genuine efficiencies across the public sector through a range of programmes to save on corporate expenditure, including the national collaborative procurement framework's commercial value for money and digital programmes, which are securing cost-avoiding and cash-releasing savings that are expected to reach more than £0.5 billion by the end of 2026-27.

In 2024-25, we also launched property controls guidance to support a more efficient approach to public sector property management and to optimise costs and estate footprint. Since 2022, enhanced recruitment controls have controlled growth in the total Scottish Government workforce, reducing it by 5 per cent between March 2022 and March 2025.

Turning to the 2024-25 provisional outturn, I am pleased to confirm that the Scottish Government has once again delivered a balanced budget, with a provisional fiscal outturn of £52.1 billion against a total fiscal budget of £52.7 billion. The remaining £557 million, which represents just over 1 per cent of our total budget, will be carried forward in full through the Scotland reserve if that figure is confirmed at the final outturn. That incorporates £501 million of fiscal resource, £31 million of capital and £25 million of financial transactions.

I again reiterate that there will be no loss of spending power to the Scottish Government as a result, with that funding supporting 2025-26 costs. We cannot overspend. The fiscal rules that we must comply with mean that we must plan for a modest underspend—we must be able to mitigate the risk of post year-end audit adjustments and to manage any late movements in demand-led programmes and fully devolved tax receipts, which have occurred in previous years.

We have already made clear to Parliament our intention to set aside the majority of that underspend as part of our spring budget revision, with £350 million planned to be held within the finance and local government portfolio. Indeed, we operate on an annualised budget, but our activities do not abruptly end on 31 March and then commence anew on 1 April each year. Smoothing through the Scotland reserve over financial years is therefore to be expected. The fact that we have managed the position to a 1 per cent underspend underlines the Government's financial competence.

I also remind colleagues that there remains a non-cash element of our budget allocation, which is utilised for accounting adjustments, such as depreciation. That element is ring fenced and cannot be used to support day-to-day spending. As non-cash expenditure, it does not flow through the Scotland reserve and is therefore excluded from the headline provisional outturn results. For 2024-25, that shows an underspend of £738 million against a budget of £1.8 billion. A large proportion of that relates to non-cash consequentials for student loan impairments, which are simply not required at the same level in Scotland because of our policy of free university tuition.

The figures that I have reported to Parliament today remain provisional, as they are subject to change pending completion of the 2024-25 year-end audits. Finalised figures will be reported as usual in the annual Scottish Government consolidated accounts and a statement of total outturn later this financial year. I commend today's figures to Parliament.

The Presiding Officer: The minister will now take questions on the issues raised in his statement. I intend to allow around 20 minutes for questions, after which we will move on to the next item of business.

Craig Hoy (South Scotland) (Con): I thank the Minister for Public Finance for advance sight of his statement. We know that the Government does not like being reminded that, in recent years, it has secured record settlements from Westminster and that it is duty bound to balance its budget. At a time of Scottish National Party cuts—to areas such as colleges and employability schemes—and tax rises, we have found out from today's provisional outturn report that there is a growing underspend as a result of decisions taken by Scottish ministers.

The SNP has repeatedly underspent its budget, and it has done that this year to the tune of £557 million, which is almost double the figure of the previous year. Ministers could have put that money to good use. It could have met our repeated calls for the passing on of rates relief for

retail, hospitality and leisure businesses in full. That would have saved jobs and businesses that are now lost, and delivered tax receipts, which are now faltering. It could have provided support to Scotland's underfunded councils, which were this year forced to impose double-digit council tax increases. That would have allowed hard-pressed households to save money.

Today's report also proves that ministers continue to pursue the wrong economic and fiscal priorities, with the Government confirming the Scottish Fiscal Commission's projection of an £851 million shortfall in Scotland's tax take. That is a black hole that will have to be reckoned with in 2027 and 2028.

Is it not, therefore, deeply regrettable that money that could have been spent last year on saving jobs, supporting councils and delivering growth to drive much needed tax revenues will now be spent in future years on the negative social and economic costs of those repeated SNP policy failures and misplaced priorities? *[Interruption.]*

Ivan McKee: Murdo Fraser is applauding—I thought that he knew better.

It is quite embarrassing to listen to Craig Hoy demonstrate his complete inability to understand the fundamental concepts of today's statement. He does, or should, understand that that funding is not lost—it simply moves into this year's budget. He should also understand that the underspend is just over 1 per cent of the total budget that we have to spend. It is actually less than the equivalent underspend of 1.3 per cent in England, where his party was in control for most of that year. He will understand that that money flows into 2025-26 to support the budget that we are taking forward this year.

None of that money is lost. Craig Hoy clearly does not understand how that works or the management that goes into steering the underspend in the budget outturn to within 1 per cent of the total budget. That is just another demonstration of why the Conservative Party, with Craig Hoy pretending to be its finance spokesperson, is not fit for office in this Parliament.

Michael Marra (North East Scotland) (Lab): I thank the minister for advance sight of his statement. I must say that I find it increasingly worrying that, over recent weeks, the SNP has opposed above-average increases in spending on defence, given the headlines that we have seen in recent days.

It is thanks to the Labour Government's record investment that the signs are good and that we will perhaps not have a chaotic in-year emergency budget this year. However, given the SNP's

financial record, who knows? The question is now about delivery. Statistics that came out today—the First Minister is nodding, so he must know what is coming—show that we have atrocious accident and emergency waiting times, the worst cancer waiting times on record, domestic abuse near a 50-year high, and plummeting house-building rates. It is obvious that, under the SNP, Scotland is going in the wrong direction. What is the SNP going to do to turn Labour's record investment into delivery?

Ivan McKee: Michael Marra knows that this Government is completely focused on delivery and that we make it our highest priority to meet our objectives. He should know—this was in my statement—that Scotland's economy grew faster than that of the rest of the UK last year and that Scotland has significantly lower unemployment and higher average earnings than the rest of the UK. The budget is delivering economic growth.

On our other priorities, I have already outlined Scotland's climate situation compared with that of the rest of the UK. We continue to be a leader in that regard. On public services, we are absolutely focused on tackling those waiting lists, which are too high. The Government has committed to bringing them down significantly over the coming months, and we will continue to focus on that.

On the resources that we have on our plate, the uncertainty that comes with the way that the UK Government operates its budget, with the late adjustments and consequentials, makes things difficult. Despite that, however, we manage to allocate resources as appropriate to deliver for the people of Scotland, and we will continue to do so.

Paul McLennan (East Lothian) (SNP): The minister highlighted that Scotland has higher economic growth than the rest of the UK. Can he outline areas of expenditure in the outturn for 2024-25 that have helped to create that competitive economic advantage for the Scottish economy?

Ivan McKee: Yes, I can. The Scottish Government has sought to secure and leverage competitive advantage for our economy through our budget and priorities for growth. On the offshore wind sector, for example, the 2024-25 outturn shows that we supported the green economy and future jobs by kick-starting our commitment of up to £500 million to anchor a new offshore wind supply chain in Scotland. That has leveraged in private capital investment such as Sumitomo's £350 million cable factory investment at Nigg. We will continue to build on that to unlock growth and innovation across all sectors of our economy in 2025-26.

We also continue to support the roll-out of improved digital connectivity in Scotland by

extending gigabit-capable fibre networks right across the country. We have created the conditions for Scotland to be at the heart of the green technology revolution, as well as better connecting our citizens to one other and to digital public services.

Murdo Fraser (Mid Scotland and Fife) (Con): According to the figures that we have just seen from the Government, the underspend in the Deputy First Minister's economy and Gaelic portfolio is £106 million. That is a staggering 7.4 per cent of the total budget in that department. It is responsible for growing the economy, for the enterprise networks and for VisitScotland, all of which have seen their budgets slashed by the SNP in recent years. If growing the economy is so vital to the Government, how does the minister explain that underspend in that vital spending department?

Ivan McKee: There are a few technical reasons for that. There is the redress, relations and response underspend of £36 million, which followed a reclassification by the Office for National Statistics post the year end. There is also an underspend of £18 million in relation to the Scottish National Investment Bank. I am sure that Murdo Fraser understands that, when deals are being taken forward at the end of the year, we do not want to rush into them; we want to make sure that we do them properly in the interest of making the investment effective. If such deals slip into the following year, that is absolutely to be understood, because they are significant capital investments.

There was also a slight underspend in relation to the city and regional deals programme. Again, given the nature of those multiple programmes across the country, we would expect there to be potential for some slippage in some of those investments.

I think that that answers the questions that Murdo Fraser raised.

Rona Mackay (Strathkelvin and Bearsden) (SNP): Will the cabinet secretary advise whether revised fiscal rules from the UK Government would help borrowing for capital investment?

Ivan McKee: It is important that we have the ability to take forward capital investment. The rules that the UK Government has in place can make that a challenge. There have been fluctuations in capital budgets over a number of years, which have involved reductions then reinstatements. That has been problematic for our ability to predict and understand how we can adequately support the programme of investment that we rightly take forward on behalf of the people of Scotland.

It is important that we have stability when it comes to capital budgets and that we are able to plan adequately and securely into the future. The

lack of borrowing powers for the Scottish Government makes that difficult. We call on the UK Government to provide additional borrowing powers, to enable us to plan and execute our very important investments.

Daniel Johnson (Edinburgh Southern) (Lab):

The finance and local government line shows a £324 million underspend, which represents around 40 per cent of the total cash underspend in the statement. All members will be aware of how hard pressed local services are, the fact that there was a council tax freeze this year, and the requirement to find additional money for pay, especially for social care workers. Three hundred million pounds would have made a substantial contribution towards dealing with those issues, so why is there an underspend of such a substantial sum in that critical area, given the importance of local services?

Ivan McKee: I would have thought that Daniel Johnson would have taken the time to interrogate the numbers a bit more thoroughly. He would have heard me mention in my statement the £350 million underspend that was planned from the spring budget revision in January and carried forward into next year. That sits in the finance and local government budget line.

In fact, local government overspent by £22 million in 2023-24, as a consequence of the late approval of the relevant local government pay deal. Far from the situation that Daniel Johnson outlined, we have slightly overspent in supporting local government on the pay of its workers. The £350 million that he talked about was identified earlier in the year as part of a planned underspend to support the 2025-26 budget.

Kenneth Gibson (Cunninghame North) (SNP): Can the minister confirm that the £557 million of resource underspend is only around four days of Scottish Government expenditure, which shows the tight levels of financial management by the Government, for which he should be commended. All of that has rolled forward into the current financial year.

However, capital borrowing was £193 million less than expected, due to emerging underspends. Does the minister agree that having shovel-ready projects in place, such as pothole repairs, which can be undertaken fairly quickly in most places, would help to ensure that capital is fully utilised, should capital underspends emerge in the future?

Ivan McKee: I thank Kenny Gibson for his kind words about the job that we have done. He is absolutely right: the underspend is only just over 1 per cent of the total spend. As I have said, that is a lower underspend percentage than occurred across the rest of the UK.

On capital projects, I wish it were that easy. Those budgets are allocated to portfolios, then to agencies and projects. Those projects do not stop on 31 March then restart in April. They continue from day to day. There is some slippage in the expenditure on those projects. However, the work does not stop, and the expenditure needs to carry on. The ability to pull that money back in the last few days of the financial year, allocate it to something else then reallocate it in April would be problematic, to say the least. However, I take Kenneth Gibson's point: the ability to have shovel-ready projects—which we have—that can be brought in when we have additional money to spend is an important step to take.

Ross Greer (West Scotland) (Green): The minister will be aware of my concern that, because many of the Government's costs are fixed at the start of the year, the annual path-to-balance reallocation exercises place a disproportionate burden on particular portfolios—primarily health and education. Allowing for the fact that there will be an election before then, will the Government consider publishing alongside next year's outturn statement a multiyear analysis of the impact of the path-to-balance exercises and in which portfolios they fall, perhaps covering the five financial years of this parliamentary session?

Ivan McKee: The member will be aware that the health budget is protected and that we pass on all consequentials to health.

Health is of course by far the biggest area of expenditure within the Scottish Government's budget, and so the focus on managing health budgets in-year is clearly critical to ensuring that we achieve the path to balance and balance our budget as we are required to. Many moving parts, as a result of consequentials or other changes in-year, can influence those budgets. However, in the interests of transparency, we are always keen to make as much information as possible available to Parliament and others.

Jamie Greene (West Scotland) (LD): At some point, we are going to have to have an honest debate in this Parliament about the net income forecast for Scottish income tax, which has reduced by £850 million on outturn versus forecast.

However, there is another line that I was very concerned to read about in this outturn, in relation to carers allowance reduction. There is more than £100 million of underspend in that line, yet so many carers in Scotland are facing the harsh reality of difficult finances due to the cliff edge of earnings in relation to receiving that benefit. Is the Scottish Government willing to look at the thresholds, and at whether any of that underspend could be used in this financial year or ring fenced to support carers in the vital role that they perform,

instead of that money disappearing into what is clearly next year's fiscal black hole, which is sitting in the Scottish Government's accounts?

Ivan McKee: First, on the technical point, Jamie Greene is right to identify that carers allowance was underspent by around £100 million. However, if he looks further down the figures, he will recognise that carer support payments were overspent by almost £100 million. The reason for that is that the first of those is a Department for Work and Pensions payment, which was then transferred to Social Security Scotland, which then picked up the payment and incurred that cost as a consequence. It is therefore very far from being the differential that he identifies.

We are proud of the support that we provide to carers in Scotland. However, we are of course always keen to have conversations to see what else we can do to support them in the very important role that they perform.

Emma Roddick (Highlands and Islands) (SNP): Will the minister set out the additional flexibilities contained within the fiscal framework and explain whether he believes that they are sufficient to give the Scottish Government the financial levers that it requires?

Ivan McKee: Under the fiscal framework, the Scottish Government can access limited resource and capital borrowing and has the use of the Scotland reserve. The Scottish Government's borrowing powers, though improved by the fiscal framework, remain extremely limited. For example, resource borrowing is still limited to addressing forecast errors in tax or social security payments and cannot be used to fund day-to-day expenditure, and the current cap on the Scotland reserve limits our ability to carry forward funds into future financial years.

We want to work with the UK Government to secure greater fiscal flexibilities to support sound financial management and to deal with volatility. The Cabinet Secretary for Finance and Local Government will discuss those issues further at the forthcoming meeting of the UK finance interministerial standing committee.

Liz Smith (Mid Scotland and Fife) (Con): In relation to the answer that the minister gave to Kenny Gibson when he asked about infrastructure, why specifically is there a £72 million underspend in the transport portfolio when there are so many pressing issues, such as the dualling of the A9 and various other upgrades?

Ivan McKee: The £72 million capital underspend in transport and the £27 million underspend on the trunk road network reflect forecasts across a range of programmes, including the M8 Woodside viaduct propping project, that are facing a number of challenges through the

financial year because of the complexities of those works.

If Liz Smith has not gone to visit those works, I encourage her to do so in order to learn about the challenges that doing that work in a city centre location presents to the excellent teams that are carrying it forward. That work is of course reprogrammed into 2025-26, so whether there is a delay or not, it does not affect the amount of work that gets done.

There is also a rail services underspend: Network Rail has underspent £22 million on operations, maintenance and renewals. That is driven by the rephasing of national Network Rail programmes, where costs are allocated to the Scotland region, although it is obviously something that we carry out ourselves.

Jackie Dunbar (Aberdeen Donside) (SNP): The majority of the Scottish Government's funding continues to be tied to decisions of the United Kingdom Government and is subject to high levels of uncertainty until very late in the financial year. Will the minister give a practical example of the consequences of Scotland's funding being tied to Westminster?

Ivan McKee: There is always uncertainty in our funding envelope until quite late in the year, given the way in which the devolved Governments' finances work. Receiving clarity on the overall funding position from the UK Government as early as possible is beneficial for our planning, to avoid any last-minute budget reductions and reprioritisations. Although, in 2024-25, we received an update on the in-year position as part of the UK Government's autumn budget process, which was welcome, an element of capital was subsequently reduced in early 2025, only six weeks before the end of the financial year. Therefore, we must always maintain an element of contingency to manage last-minute changes to our overall funding envelope, which consequently reduces investment opportunities.

Fergus Ewing (Inverness and Nairn) (Ind): The building at 48 South Street, Elgin was worth £275,000, yet the minister's predecessor spent £3.5 million on decarbonising it. That was by no means a lone example of a project that was an utter waste of money, and the minister agreed that that was the case. Therefore, why has phase 2 of the funding been approved? Why is it going ahead? Applications closed at the end of May. Before making any decisions on how to spend that money, will the minister report to the Parliament on how he proposes that it should be spent? Would it not be better to spend it on dualling the A9?

Ivan McKee: I take on board the point that the member raises. As is the case with all spending,

we want to make sure that it is done effectively and efficiently. I undertake to report back to the Parliament on the specific projects that might or might not be taken forward under that funding line.

Business Motion

15:26

The Presiding Officer (Alison Johnstone):

The next item of business is consideration of business motion S6M-18070, in the name of Jamie Hepburn, on behalf of the Parliamentary Bureau, setting out a timetable for consideration of the Education (Scotland) Bill at stage 3.

Motion moved,

That the Parliament agrees that, during stage 3 of the Education (Scotland) Bill, debate on groups of amendments shall, subject to Rule 9.8.4A, be brought to a conclusion by the time limits indicated, those time limits being calculated from when the stage begins and excluding any periods when other business is under consideration or when a meeting of the Parliament is suspended or otherwise not in progress:

Groups 1 to 2:	1 hour
Groups 3 to 6:	2 hours
Groups 7 to 10:	3 hours 10 minutes
Groups 11 to 13:	4 hours 10 minutes
Groups 14 to 16:	5 hours 10 minutes
Groups 17 to 19:	6 hours 5 minutes
Groups 20 to 21:	7 hours 10 minutes
Groups 22 to 23:	7 hours 50 minutes.—[<i>Jamie Hepburn</i>]

Motion agreed to.

Education (Scotland) Bill: Stage 3

15:28

The Deputy Presiding Officer (Liam McArthur): The next item of business is stage 3 proceedings on the Education (Scotland) Bill. In dealing with the amendments, members should have the bill as amended at stage 2—that is, Scottish Parliament bill 49A—the revised marshalled list and the groupings of amendments. The division bell will sound and proceedings will be suspended for around five minutes for the first division of stage 3. The period of voting for the first division will be 30 seconds. Thereafter, I will allow a voting period of one minute for the first division after a debate. Members who wish to speak in the debate on any group of amendments should press their request-to-speak button or enter RTS in the chat function as soon as possible after I call the group. Members should now refer to the marshalled list of amendments.

Section 3—The quality assurance function

The Deputy Presiding Officer: Group 1 is on support needs. Amendment 1, in the name of Miles Briggs, is grouped with amendments 5, 165 to 168, 321, 248, 249 and 76.

Miles Briggs (Lothian) (Con): In the interests of brevity, I will try to speed up my comments during the rest of the afternoon.

I was pleased to lodge this suite of amendments following stage 2. Amendments 5, 1 and 76, in my name, would improve the bill.

Amendment 5 would require qualifications Scotland to prepare and publish guidance to support those with educational support needs in undertaking examinations. Amendment 5 would introduce the term “educational support needs” into the bill instead of “additional support needs”, because it is important that children, young people and adult learners with support needs for learning are all covered by these and other provisions in the bill.

15:30

Amendment 76 would ensure that that newly introduced term covers existing legislation for children and young people, along with other learners with additional support needs for learning. Amendment 76 is a definition of “educational support needs”. It deliberately uses a new term but defines it as having the same meaning as “additional support needs” under the Education (Additional Support for Learning) (Scotland) Act 2004 and “support needs” under the Further and Higher Education (Scotland) Act 2005. That is because it might be confusing to start using those

terms to mean something broader in this bill when they are already well understood and have a meaning in their respective contexts.

Amendment 1 would therefore reflect the new terminology in existing provisions in relation to section 3, quality assuring the processes that additional establishments have to put in place to support the assessment of qualifications, particularly for those with additional support needs.

I move amendment 1.

Pam Duncan-Glancy (Glasgow) (Lab): First, let me say a huge thank you to the legislation team, who have been working day and night to support members across the chamber with the amendments that they wanted to lodge. I put on record my thanks to my own team, who have supported me at stages 1, 2 and 3 of the bill. Despite how we might at some points disagree today across the chamber, I also thank other parties for the discussions that we have had between stages 1, 2 and 3.

At the heart of this first group of amendments is a simple principle: parity of esteem. Learners who require additional support—not only to read a qualifications document but to sit the exam, receive their results and progress afterwards—must enjoy exactly the same standing in Scotland’s qualifications system as every other learner.

Why does that matter? First, because the law already obliges us, under the 2004 act and the United Nations Convention on the Rights of Persons with Disabilities, to remove barriers and not just to acknowledge them. Secondly, because fairness is meaningless if the format of an assessment or the way that its rules are communicated locks out some candidates from the start.

My amendments in this group set out to deliver on the principle of parity of esteem. Amendment 165 would place a clear, statutory duty on qualifications Scotland to communicate inclusively whenever it publishes anything, including exam specifications, candidate guides and appeals leaflets.

Amendments 166 and 167 would work with Mr Briggs’s amendment 76 to update the language in the bill, removing reference to “additional support needs” and instead using the term “educational support needs”, to ensure that adult learners with support needs are given the same recognition and support as children and young people.

Amendments 248 and 249 would carry the same obligations into the education inspectorate so that inspection reports, thematic reviews,

consultations and recommendations are just as accessible and, therefore, just as actionable.

Amendment 321, in the name of the cabinet secretary, would duplicate the inclusive communication duty on the chief inspector of education that my amendment 165 would place on qualifications Scotland. Therefore, in the spirit of consensus, I will not move amendment 168 and, instead, ask colleagues to support amendment 321 to ensure that the inspectorate communicates in the same inclusive way as we will ask qualifications Scotland to do.

Inclusive communication is the gateway to every other reasonable adjustment—extra time, alternative formats, assistive technology and quiet spaces—because a learner cannot request an adjustment if they cannot first access the rules. Embedding an inclusive communication duty in statute would guarantee early, proactive support and consistency across schools and colleges, and it would help to develop a culture that is designed for all from the outset.

Scottish Labour will support Mr Briggs's amendments 1 and 5, which would update the language in section 3 to cover adult learners and require qualifications Scotland to publish clear guidance on adjustments. We will also support his amendment 76, which provides the appropriate definitions.

Parity of esteem must be more than a slogan. It is a promise that all learners will have access to an equal chance to succeed. I therefore intend to move amendment 165 and invite the chamber to support the full package of amendments in this group so that parity, recognition and real accommodation are built into Scotland's new qualifications regime from day 1.

The Cabinet Secretary for Education and Skills (Jenny Gilruth): I thank Mr Briggs and Ms Duncan-Glancy for setting out their amendments. I put on the record my sincere thanks to Scottish Government officials in the legislative team and in policy for all their assistance ahead of today's large stage 3 amendment proceedings.

I am grateful to the offices of Ms Duncan-Glancy and Mr Briggs for working with the Government on amendments 1, 5, 76, 166, 167, 248 and 249 to ensure that they will strengthen the bill for people with educational support needs. Of course, the Government is happy to support those amendments.

As for Ms Duncan-Glancy's amendments 165 and 168, I would be happy to offer my support to amendment 165 as I believe that adding the word "inclusive" to section 25 would deliver on our shared intentions. I am grateful to the Presiding Officer for accepting my amendment 321 as a manuscript amendment so that a comparable

change can be made to the equivalent publication duty in part 2 of the bill, as I would not want anyone to draw the conclusion that the Government was suggesting that the chief inspector did not also need to publish documents in a similar manner.

However, I am not able to support amendment 168. The amendment reflects provisions from the Social Security (Scotland) Act 2018, which would not work in the context of this section of this bill. I acknowledge that Pam Duncan-Glancy is not going to move amendment 168, however, and I very much accept the intention behind it.

The Deputy Presiding Officer: I call Miles Briggs to wind up and say whether he wishes to press or withdraw amendment 1.

Miles Briggs: I have nothing further to add, and I press the amendment.

Amendment 1 agreed to.

Section 4—The accreditation function

The Deputy Presiding Officer: Group 2 is on accreditation and quality assurance of qualifications. Amendment 98, in the name of Pam Duncan-Glancy, is grouped with amendments 125, 147, 154, 156, 158, 159, 161 to 164, 169 to 179, 8 to 10, 193 to 197, 199, 200, 207 to 209, 225 to 228, 251, 253, 252, 260, 261, 266, 276, 277, 282, 284, 285, 288, 289, 304 to 311, 313 and 314.

I draw members' attention to the procedural information in the groupings in relation to the amendments. Amendment 158 pre-empts amendment 159; amendment 161 pre-empts amendment 162; amendment 163 pre-empts amendment 164; amendment 251 pre-empts amendments 253 and 252; amendment 251 also pre-empts amendment 254 in group 11; amendment 276 pre-empts amendment 277; amendment 304 pre-empts amendment 305; and amendment 304 pre-empts amendment 306.

Pam Duncan-Glancy: I ask members to please be patient and consider what I say carefully as I outline a number of the amendments in this group, which may take a bit of time.

The amendments in group 2 invite Parliament to address and resolve what is considered to be the bill's central question and an important policy choice: will Scotland at last secure an independent guardian of standards in qualifications? Will the Government actually abolish the Scottish Qualifications Authority, or will there simply be a rebrand?

Separating the body that awards qualifications from the body that regulates and accredits them is fundamental, and my amendment 98 would do just that. Along with consequential amendments 179, 266, 289, 304 and 307 to 311, amendment 98

would help to ensure that the new qualifications body can begin afresh, with leadership embedded in a reformed vision and with new governance, while also being independent from the body that accredits and regulates qualifications.

That separation is critical to restoring trust in the system. Trust and confidence are central to the integrity of any education system, but that integrity has broken down—not overnight, not as a consequence of one decision or event and certainly not as a result of anything that staff in schools or parents and pupils have done, but as a result of multiple failures by the SQA. The starkest failure was during the pandemic, when the then Cabinet Secretary for Education and Skills, John Swinney, downgraded the exam results of the poorest pupils.

Young people are our greatest asset in Scotland. We owe it to them to create the best possible environment for them so that they can thrive. Experts have told us what that means and what it looks like. It means a new curriculum agency in which teachers and subject specialists can work in networks, together, to develop world-leading resources for a world-leading curriculum, supported by a Government that shows leadership and direction, but at arm's length.

Colleagues will recall that every review that has been placed before us—the Organisation for Economic Co-operation and Development study and Professor Muir's report—as well as the evidence to the Education, Children and Young People Committee at stage 1 made the same diagnosis: the curriculum, accreditation and improvement functions are dispersed across too many bodies that do not always communicate and are not coherent.

Setting up a new body such as curriculum Scotland—a single, arm's-length organisation that would steer what is taught, guarantee the standard of the certificates that flow from that teaching and drive the continuous improvement of both—is the remedy for that. As a reformed Education Scotland that would become independent of Government, it would deliver opportunity for all, support a broad curriculum, empower teachers to design and deliver that curriculum and embed coherence in the system.

Young people would be supported to learn, driven by their interests, aspirations and what employers need, not by assessment, as often happens now. Curriculum Scotland as a body could support that and broaden the offer on school-based qualifications so that vocational, academic and technical pathways are delivered, valued, assessed and recognised. That is why leaving the accreditation function in the qualifications body is not a palatable option.

The proposal in the amendments to move accreditation to a new body—whether to curriculum Scotland or another body—would help to deliver both scrutiny and parity of esteem. Currently, school-based qualifications—

Ross Greer (West Scotland) (Green): Will the member take an intervention?

Pam Duncan-Glancy: I am happy to take Ross Greer's intervention.

Ross Greer: Would the member join me in recognising the difference between accreditation and quality assurance? Simply moving the current accreditation function to any other body, such as the curriculum Scotland body that is suggested or His Majesty's Inspectorate of Education, would not address any of the issues that we have seen in recent years in relation to national qualifications, because the current accreditation function does not accredit—for example, it does not accredit higher history.

Pam Duncan-Glancy: Mr Greer is quite right in relation to higher history, but he did not point out that, although the SQA does not accredit or regulate our school qualifications, those qualifications are subject to quality assurance by the very body that determines what they are and that awards them, which is the SQA. That is why it is crucial to create a separate regulatory and accreditation function, so that we can look at whether we want to accredit or regulate those qualifications in the future.

We are legislating today for Scotland's young people's future, and not moving that function from the qualifications body now, under the bill, means that, without separating the accreditation function from the awarding function, we cannot necessarily take those decisions in future. That is why we should have taken—and must take—the opportunity to do that with these amendments this afternoon.

Setting up a new body such as curriculum Scotland—a single arm's-length organisation that could steer what is taught, guarantee the standard of certificates that flow from that and drive continuous improvement—is a remedy. School-based qualifications are not currently accredited, as Ross Greer just explained; they are simply considered for quality by the body that awards them, which is the SQA. We have seen what happens when the SQA thinks that its qualifications are high quality. External scrutiny is resisted until assessors whistleblow, the press exposes the scandal, and Parliament and Government have to intervene, as was the case with higher history. The bill is a chance to change all of that.

Some people have said that those who have been clear that a separation of functions is needed

do not understand what accreditation is for, because SQA-awarded qualifications are not accredited. Ross Greer alluded to that in his intervention. However, that misses two key points.

First, trust in the system means that a body that awards qualifications should not regulate them. Structures matter.

Secondly, regardless of what is accredited now, at a time when we are claiming to reform the system, we should not miss an opportunity to do so in a way that is entirely fit for the future.

Jenny Gilruth: We debated the issue at length at stage 2. I remind Pam Duncan-Glancy of correspondence that the committee and I received from Unite the Union, which represents the majority of staff in the SQA. The letter says:

“our members believe that further independence could be achieved with minimal disruption to staff, their stakeholders and represent more value for money if the new Qualifications Body hosted the accreditation function.”

Is Unite the Union wrong?

Pam Duncan-Glancy: I thank the cabinet secretary for that intervention, which I was prepared for. The cabinet secretary knows full well that the members of Unite in the Scottish Qualifications Authority would have preferred the accreditation and regulatory function to go to an entirely new body in the first place. In the absence of any planning, scoping or action from the Government or preparation for a proper qualifications system that puts young people’s future at its heart, Unite the Union recognises that a rushed job could be very difficult for its members, who have endured countless days, weeks, months and years of the Government’s dither and delay when it comes to properly reforming the education system. That is what Unite is not happy about, and that is why it is trying, at the very last moment, to convince the Government to do the right thing. As the cabinet secretary knows, that means moving the accreditation and regulatory function from the SQA into a new body.

Instead of supporting that, the cabinet secretary told members of the committee at stage 2 that she would take seriously Unite’s concerns about accreditation, that she would go away and think very carefully about it, and that she understood that the status quo—the function remaining in the qualifications body—was not acceptable. However, she brought along the chair of the current SQA to the cross-party discussions between stage 2 and stage 3. Regardless of members’ opinions on how impressive—or otherwise—one individual can be, in those discussions we were supposed to be considering where the Government would put accreditation, given that it had been told by the committee,

experts and others that that function should not stay with the qualifications body. There is nothing in the bill that moves accreditation from that body into another body. That, to me, is a failure of reform—it is reform unfinished.

15:45

The Parliament has the option over the next 48 hours—sorry, 24 hours; I do not wish to extend the debate for a further 24 hours—to legislate for a system that stands the test of time and in which the accreditation body for qualifications in Scotland is able to accredit school qualifications in the future, whether or not that includes the ones that the SQA accredits now. If we are reforming the curriculum and assessment, we need to know that the body that oversees qualifications is in a separate place from the one that awards them. We should have taken that opportunity already in the bill. Separation would future proof the landscape and would create a coherent system that could regain and enjoy the trust of pupils, learners, teachers, parents and employers.

Our amendments to create curriculum Scotland—amendments 8, 9, 10, 159, 162 and 164, as well as amendments 6, 7, 180 to 192, 250, 74, 254, 256, 262, 263, 264 and 312—give the Parliament plentiful options to do the job properly. I will come to some of those amendments and the rationale behind them when we debate a later grouping. All the options that we are presenting today give the Parliament the opportunity to create the structures for world-leading curriculum development and a separate body to host the accreditation of our qualifications.

However, if members are not supportive of our package to create curriculum Scotland but would like to deliver on the advice of experts and teachers and on the expectations of pupils and parents, they can support my other amendments, which would guarantee the separation of awarding and accrediting functions by moving the regulatory and accrediting function to the chief inspector’s office, to be overseen by a chief regulator. Amendments 158, 161, 163, 197, 199, 200, 207, 208, 225, 226, 277, 253 and 260, all in my name, would achieve that.

Presiding Officer, forgive me for cantering through the amendment numbers in the interests of time; I know that members will have studied the groupings and the marshalled list and will have an understanding of what the amendments do.

There are other amendments that the Parliament has the option to support to deliver on expert opinion and on pupil, parent and teacher expectations. Amendments 158, 161, 163, 209, 228, 252, and 261, also all in my name, would place accreditation in the office of the chief

inspector without there being a chief regulator. I invite colleagues to also consider that option.

All those options would also create a committee for accreditation, to which the function would be accountable. That has been considered crucial by staff currently in the SQA and by external experts.

Separating the functions is not just the direction that Scottish Labour believes that we should go in; countless experts have said the same. I repeat that point, because it is crucial. The Education, Children and Young People Committee also agreed with that position at stage 1.

The cabinet secretary and members on the Government front bench are laughing. However, when we did not get this right in 2020, pupils from the poorest backgrounds had their grades downgraded. This year, there was a scandal after a history exam was allowed to continue even though experts raised concern after concern that, as Ross Greer indicated, the quality assurance function for that exam sat within the body that set it. The cabinet secretary and other members in the chamber may find that funny but I am sure that people who are watching the debate will not.

Jenny Gilruth *rose*—

Pam Duncan-Glancy: Did the cabinet secretary wish to make an intervention?

Jenny Gilruth: For the record, I was not laughing at the content of Ms Duncan-Glancy's contribution.

Pam Duncan-Glancy: I thank the cabinet secretary for that clarification. I am pleased that she will listen to and take seriously what is being said.

The Education, Children and Young People Committee's stage 1 report identified one issue above all others: public confidence will not be restored while the same body both awards and accredits our national qualifications. That conclusion echoed the OECD review and Professor Ken Muir's report, and it is what almost every stakeholder told the committee.

Each source, expert and stakeholder, reached the same judgment: independent scrutiny of standards is crucial. The bill, as amended at stage 2, leaves the scrutiny function with the qualifications body. Our view, which is in line with that of experts, is that that position is no longer defensible.

Although changes have been made to qualifications Scotland—I thank the cabinet secretary and other members for working with us to improve what we can, including on the governance of the body—it will have the same functions as the SQA. Indeed, if the accreditation arm is left with qualifications Scotland, it will have

entirely the same functions as the SQA. If that happens, there will be no independent scrutiny. Furthermore, as we will debate in group 21, there is nothing in the bill as it stands to guarantee that a fresh look at the leadership will be taken.

We have been left with the SQA—the body has not really been abolished, although notable improvements have been made to its governance—in a landscape that leaves the job half done. I am disappointed that the Government has not come forward at stage 3 with the changes that it promised members at stage 2.

I cannot support the amendments in the name of Willie Rennie or Ross Greer, because they do not deliver change. I am sorry to say this, but they are a poor compromise with the Government that falls far short of expectations and legislates for a review, not reform.

I am disappointed that the Greens and Liberal Democrats gave in for so little. They will argue that the Government has moved, but all that we have got out of the Government here is handout amendments that promise a review, which might result in yet another piece of legislation that will not even be considered during this session of Parliament—another example of jam tomorrow. Those amendments might also still leave the accreditation function with the qualifications body. That is very disappointing indeed.

We should not be legislating to have a review; we have had reviews. Furthermore, such a review should not need legislation. The previous reviews did not, and today, we should be legislating to give effect to those reviews.

I urge members to reject amendments that fall far short of reform and instead support the amendments in my name. We should make law today that delivers the education landscape that we need for the future—one that supports staff and pupils and is best geared towards ensuring that our young people are set on the path to success, with world-class education in a system that is designed to deliver it.

The Cabinet Secretary for Finance and Local Government (Shona Robison): Did I mishear? I thought that I had just heard Pam Duncan-Glancy talk about making good law today. She and her party are voting against the bill, are they not?

Pam Duncan-Glancy: I thank the cabinet secretary—

Martin Whitfield (South Scotland) (Lab): Will my colleague take an intervention?

Pam Duncan-Glancy: I will.

Martin Whitfield: I am very grateful—*[Interruption.]* I suggest that my colleague has

articulated clearly the reason for her conclusion in the summation of her contribution. Had—

The Deputy Presiding Officer: Resume your seat, Mr Whitfield.

This will be a long afternoon and evening. It will be even longer if we do not listen to the member who has the floor, who, in this case, is Martin Whitfield.

Martin Whitfield: I am very grateful, Deputy Presiding Officer. I shudder at your premonition of how today might go.

Had members listened to my colleague's submission, they would know that her conclusion was fully explained.

Pam Duncan-Glancy: I thank the member for that intervention—I enjoy the unity that we have across Scottish Labour, which is not something that we always see across the Government party. I appreciate members' support.

I was making the point that the Parliament has options to make the bill salvageable. If the Parliament supports our amendments to remove accreditation from the qualifications body and place it in a regulatory function in the inspectorate, in a new body, curriculum Scotland, or in the inspectorate without creating a regulator, which nonetheless moves it into another body, we could consider supporting the bill. However, at this time, I have heard zero indication that the Government is prepared to move in that direction.

On that basis, for the sake of young people's future, for the sake of a bill that supports staff, pupils and a future education system that is best geared towards ensuring that our young people are set on the path to success, with world-class education in a system that is designed to deliver it, I urge members across the chamber to reject the bill as it stands and support the amendments in my name.

I move amendment 98.

The Deputy Presiding Officer: Before calling the next speaker, I want members to reflect on the fact that discussions took place with business managers and members with key amendments about the time that is needed to move those amendments. We, as a Parliament, have agreed a timetabling motion for proceedings this afternoon and this evening. We are already quite far behind that, so I ask that members bear that in mind when making their contributions.

I call Willie Rennie to speak to amendment 125 and other amendments in the group.

Willie Rennie (North East Fife) (LD): I fully respect Pam Duncan-Glancy, but I must disagree with her this afternoon. The fact that she has presented a number of options shows that there is

still no consensus, even within the Labour Party, about what the process should be in order to make improvements.

Pam Duncan-Glancy: I hugely respect the member and it pains me to have to disagree with his direction of travel here. The reason why there are options is not that we have not come to a settled view. We came to a settled view—we all did, including the member—that change was necessary. The bill in front of us does not provide that—it just delivers a review. It is not my fault that the Government has not done the work in advance. We should be reforming today, not reviewing.

Willie Rennie: The process has been constructive. It is a good example of how committees can work well together.

We have come to an issue that is not central to the reforms that were proposed at the beginning, which, I remind the member, were about separating the inspection function from Education Scotland and creating a new qualifications body. Accreditation was not the big issue that it has become now. Ken Muir's report referred to it, but only as a narrow aspect of that report, and the accreditation issue mostly affects post-school vocational qualifications.

My amendments today, with agreement from the Government, will lead to a more substantial review that will have a much more expansive approach. There was no consensus on the scope or location of the accreditation function that is currently provided by the SQA. The accreditation function largely covers post-school vocational qualifications.

Stephen Kerr (Central Scotland) (Con): Willie Rennie is making the case for what has gone completely wrong with the bill. At the stage 2 committee discussions, it was a case of the cabinet secretary saying, "We will take this offline." None of the amendments that were being discussed—many of them in Willie Rennie's name—was going to be pressed, because there was going to be proper time to properly discuss all the different options so that we could come together as a Parliament. That was entirely possible in the spirit of the stage 2 discussion that we had, but it has not happened. I echo Pam Duncan-Glancy's comments about Willie Rennie's willingness to concede all the ground that he had so successfully gained in the course of the discussions at stage 2.

Willie Rennie: I am not going to explain the fact that I have not conceded ground or why I think that we will get a much more substantial reform that will be done in an orderly fashion, which is the right approach for a body that will be new. It will be

at its early stages, so it needs to be handled with care.

However, I am grateful to Stephen Kerr for resubmitting all the amendments that I lodged at stage 2, which I withdrew at that point, because I know that he wants the whole Parliament to have an opportunity to look at the brilliance of my amendments.

In addition, during the bill's consideration, concerns about higher history in 2024 were discussed in detail by the committee, and the oversight arrangements of our national school qualifications came into the spotlight. I believe that it was unsatisfactory that the SQA, in effect, inspected itself, and therefore I am determined to get an orderly change.

Although there was no consensus on the scope or location of accreditation, there was an agreement that the current accreditation and quality assurance arrangements were unsatisfactory. I think that the cabinet secretary has genuinely moved from her original position on that: she was opposed to change, but now she is prepared to look in a substantial way at making substantial change.

I was of the view at that time, and committee members will have heard me say, that any of the options that we put forward was better than the status quo. However, there was still no agreement—and there is still no agreement today—on what should happen next. That was in part—this point is crucial—because the landscape is complex. I am grateful to the cabinet secretary and other members of the committee for the further time and consideration that they gave to address the complexity of those issues.

My amendments in this group provide a package of measures to address those concerns. Amendments 125, 156 and 169 specifically address the concerns that have been raised about higher history by focusing on the quality assurance—not accreditation—measures that qualifications Scotland will have in place in the future. As a package, those amendments combine an independent review of quality assurance processes, an annual compliance report and the establishment of an independent expert group to advise on qualifications standards.

Amendments 170 to 179 seek to improve and enhance section 25A, which covers the requirement that ministers undertake a statutory review of the scope and location of the accreditation function—not quality assurance.

Martin Whitfield: The member said that amendment 156 originated from the higher history debacle. Can he explain why he chose periods of financial years rather than academic years, which would shorten—or indeed lengthen—the period for

anything that needs to be changed before the next round of examinations?

16:00

Willie Rennie: We will need to consider the budgetary consequences of any organisational change, and it is important to consider that in a financial year, rather than an academic year, to ensure that appropriate budgets are in place to be able to make that happen.

Amendments 175 and 176 would add new provisions that introduce a process that ministers must follow should they conclude, in the statutory review, that legislation is required in relation to the accreditation function. That process would require ministers to bring forward legislation within one year of publication of the report of the statutory review. Alternatively, the provision would require that, after the one-year period expires, ministers must lay a statement before Parliament explaining whether legislation will still be brought forward, the timescales for that or their reasons as to why not, if that is no longer what they intend.

Amendment 178 would add a definition to what “bringing forward legislation” means by setting out two mechanisms through which ministers could do so. The first is laying before the Scottish Parliament, under part 2 of the Public Services Reform (Scotland) Act 2010, a draft order that relates to the accreditation provisions, and the second is

“introducing a Bill to the Scottish Parliament which includes or consists of provision in relation to the accreditation provisions”.

I hope that members are following this.

I know that other members are not content with the agreement that I have reached with the Government, so let me explain why I have done that. There are three main reasons. The first is that the main focus of the discussion and debate over the past year has been school-based qualifications, and the problem is that the accreditation team does not cover school-based qualifications, so moving the accreditation function would not, on its own, address the possibility of a future higher history scenario.

Secondly, I want to consider the expansion of the scope of the accreditation function to cover all non-SQA qualifications. Moving the current narrow accreditation function would not deliver that potential expansion.

Reason number 3 is that, under the new leadership and the bill, I think that the SQA, or qualifications Scotland, is up for the change, but it wants that to be done in an orderly way and based on evidence. The other amendments will not ensure that that happens.

Pam Duncan-Glancy: There are two important points about the higher history situation. First, as it stands—the member has alluded to this—the SQA determines the quality of its own qualifications, which is not a satisfactory circumstance. Secondly, although the accreditation function does not necessarily cover school-based qualifications just now, it could cover those in future. It could also cover other subjects that might be taken in school. We are looking at opportunities to broaden the curriculum, so we need to move the function now so that we can future proof for generations to come. Only doing that through a review without moving the function would be a problem. One of our amendments in a later group, which is on the role of the regulator, says that we should also look at the scope of accreditation and quality assurance. Does the member agree that we can do both and properly abolish the SQA at the same time?

Willie Rennie: I can see nothing in Pam Duncan-Glancy's amendments about adding quality assurance for school-based qualifications into the accreditation function, whereas my proposed review would look at that. The review would look at school-based qualifications and moving them from quality assurance into accreditation. It would also look at the scope of accreditation, because not all post-school qualifications are currently required to be accredited by the SQA, and perhaps that should be changed.

Once we have considered all those issues, and if we are going to create new functions and scope, we need to consider where those are best located. My review would cover all that in an orderly fashion. That is why my option is better.

My amendments immediately improve the reporting on quality assurance, but they also deliver the two reviews that I have talked about. The first is on quality assurance and the second is on accreditation. They can consider whether quality assurance could move to accreditation, whether all qualifications in and out of qualifications Scotland could be accredited and where a future function could be located.

I genuinely believe that the cabinet secretary has moved; she accepts that change might be necessary. My amendments are the best way to achieve it.

The Deputy Presiding Officer: I call Stephen Kerr to speak to amendment 147 and other amendments in the group.

Stephen Kerr: Willie Rennie, for whom I have a lot of respect, has settled for something that is really poor. The Scottish education system must be the most reviewed thing in the country. How many more reviews must there be? All that

amendment 176 says is that, at the end of the review, the Government must state whether it intends to do anything about it.

It is a long way from where we were at stage 2, when the cabinet secretary, because of the unity among committee members who represent different parties, conceded that something would need to be done much sooner than over a very long timetable, which is the view that Willie Rennie takes.

Jenny Gilruth: Stephen Kerr has talked about unity. He will recall that, at stages 1 and 2, there was no unity on the Education, Children and Young People Committee about where accreditation should be moved or on the wider issue, which he and I debated at length, about the bill's scope and which qualifications should be covered by accreditation. Does he accept that there was no unity on those points and that, in a Parliament of minorities, it was incumbent on all parties to work with the Government to obtain a route forward that we could all come behind and support?

Stephen Kerr: I thought that there had been unity of purpose on the fact that we would abide by the expert opinion that the Government itself had commissioned, particularly the Muir report, that those functions should be separated. I am not a member of the Education, Children and Young People Committee, but that was very clear to me when I was at the committee, listening carefully, because it is an issue that ought to intensely interest us all in the Parliament. The education system is vital to the wellbeing of the people of this country. It was clear that there was a strong sense that something would have to give and that we would have to get together and not move or press any amendments at stage 2 but go away and have lots of huddles and discussion.

I preface anything that I will say in the process of considering the stage 3 amendments by saying that I approach all this with a genuine sense of regret. We find ourselves here at stage 3 of a bill on a very important subject—it is the only education bill of this parliamentary session—with more than 300 amendments. It will take a long time, and members will get very impatient with those of us who wish to discuss and debate the amendments, but, frankly, if we cannot take the time to consider perhaps the most important devolved responsibility that rests with the Parliament, I do not know what we are here for.

To be fair, there has been some cross-party engagement throughout the process, but I had hoped and expected that, by now, we might have move moved beyond the point of so many members feeling that it is necessary to bring back, rework or refine stage 2 amendments.

Willie Rennie said that I want the Parliament to have the advantage of examining the beauty of his stage 2 amendments, and, indeed, I do. In fact, Willie Rennie knows that I was a very enthusiastic endorser of the amendments that he lodged in the area of accreditation. When I tried to reintroduce amendments at stage 3, I discovered that Pam Duncan-Glancy, another admirer of Willie Rennie's beautiful amendments, had beaten me to it.

It is important but of great regret that we have reached this point and are discussing the issues in such a context. I genuinely thought that lots of discussions would be had across the Parliament between the end of stage 2 and the beginning of stage 3. There was space and scope for us to come to some understanding about how to proceed together.

Willie Rennie: Perhaps it was Stephen Kerr's support for my amendments at stage 2 that might have got me thinking again. Nevertheless, I will get to the guts of his amendments, which were originally mine. On the issue of the inspectorate, does he understand that there will be an inconsistency and, in fact, a conflict, if the inspectorate covers the inspection only of schools when many of the areas that will be accredited will be outside the school environment? Is there not a problem with the scope of the inspectorate and might that not be why my amendments were not appropriate at stage 2?

Stephen Kerr: I thought that we had all agreed during the stage 2 committee proceedings that any solutions that did not include the creation of a new public body would be inexact and would not be perfect. We had a long discussion. I well remember exchanges with other committee members about the necessity of seeking perfection when, in fact, we should really be aiming to make improvements because perfection is probably beyond us in every aspect of legislation in this, or any other, parliamentary session. There was a sense that there would be some inadequacy with any of the options that we were considering, which is why I am grateful that we at least have the benefit of now being able to consider those options again at stage 3.

I will make an important point about the essence of my genuine regret. I believed what Willie Rennie said earlier and did actually believe that the cabinet secretary was open to changing her position and that the Government would be open to refining and supporting a new set of proposals that we could all coalesce around. I thought that there would be meaningful negotiation and a shared effort to shape amendments into something workable and supportable, but that promise has not been realised in the way that many of us had hoped. I hope that members will respect my point of view, because I genuinely do

not think that this is a satisfactory way for Parliament to make legislation in an area as important as education. It is a moment of profound importance when Parliament passes legislation on education.

In thinking about everything that lies ahead of us in the hours to come, I was inclined to offer some sense of regret that there are so many amendments and that I am the author of many of them—although Willie Rennie rightly claims the credit for some of them—but I cannot apologise for using Parliament time to consider what it would take for us jointly to pursue better educational outcomes for Scotland's young people by reforming our education system. If we cannot insist on integrity, scrutiny and quality, we are missing the point of why we sit in Parliament at all.

In considering the amendments in group 2, I now properly turn to the very heart of the bill's credibility, which is the integrity of qualifications in Scotland and of the institutional architecture that underpins public trust in those qualifications. To be direct, the bill as it stands fails to draw a clean and necessary line between the awarding and accreditation of qualifications. That is a structural flaw and is one that invites the same mistakes and public distrust that have dogged the SQA for 40 years.

That is why I am speaking in favour of amendments 147, 276 and 277 in my name, which go to the root of the problem. I argued at stage 2, and repeat today, that Parliament cannot afford to pass legislation that permits the new body, qualifications Scotland, to both design and deliver qualifications and then also to accredit them. That is not a regulatory framework. To borrow Professor Ken Muir's precise words, that would allow qualifications Scotland to "mark its own homework".

Amendments 276 and 277 seek to correct that. They would transfer the accreditation function from qualifications Scotland to the chief inspector of education. I willingly concede Willie Rennie's point that that is not a perfect solution, but it moves towards something better. That is what Parliament should be seeking. It would establish a clear structural separation between those who create the qualifications and those who assure their quality.

16:15

That separation is essential, and it is not an administrative nicety. It is a safeguard for standards and a precondition for trust. The experience of the 2024 higher history exam, which was investigated by the SQA itself, is a textbook example of why such separation is indispensable. If learners and teachers are to believe in the

fairness and rigour of the system, no body can be seen to investigate itself. Public interest demands independent scrutiny, not internal review.

International comparisons bear that out. In England, Ofqual regulates qualifications separately from delivery bodies. In Wales, Qualifications Wales operates as a stand-alone public body. It is only in Northern Ireland, where awarding and accreditation remain under one roof, that there is continuing dissatisfaction with the arrangements among school leaders. That was well covered in Professor Muir's report, and we should learn from that and act accordingly.

I will speak briefly to amendment 147, which would remove section 14(3), which gives the Scottish ministers power to direct revisions to the corporate plan of qualifications Scotland. That power cuts across the very independence that we are trying to build around those institutions. If we are to have an awarding body that earns public confidence, it must be free from ministerial interference in its corporate direction.

Turning to other amendments in the group, I note that everything that Willie Rennie ever touches is eminently reasonable. It is eminently reasonable that he should propose an expert group on qualifications standards, but it is a halfway house and it might take us absolutely nowhere.

I will not rehash all the things that I have said about the nature of Willie Rennie's amendments, but he knows that I am disappointed that we have ended up where we have. People who work, live and breathe the education system in Scotland deserve better than something that might or might not end up as an important structural reform of the education landscape.

Douglas Ross has proposed the creation of a chief regulator of examinations. I am sure that he will speak to his proposals, but they deserve the careful examination and consideration of Parliament. They would introduce a principle of external adjudication, giving learners, parents and teachers a place to turn when confidence in the fairness of an exam process is in doubt. I support that aim. That is a confidence-building measure. It complements, rather than duplicates, the structural independence that I seek through my amendments.

The real issue is not bureaucratic configuration, but the culture of the SQA, which has repeatedly been described by those who have dealt with it as arrogant, entitled and self-justifying. It is a direct result of a structure that allowed it to answer only to itself, and that surely must end.

Professor Muir was right when he warned that the reform of Education Scotland and the SQA was only a starter and that structural change must

be accompanied by real shifts in transparency, engagement and accountability. Those are his words.

The OECD said much the same in its report on the curriculum for excellence. At the time, the Scottish National Party Government set great store by the OECD report. The OECD noted that Scotland's education system suffers from overlapping functions and insufficient separation between design, delivery and oversight, creating what it called a confusion over roles and a risk of conformity of thought. That is very insightful.

Amendments 276 and 277 would answer that criticism with action. They would not tinker—they would make a clean break and create a coherent, independent regulatory structure. In doing so, they would align us not just with best practice internationally but with what teachers, learners and employers in Scotland expect and deserve.

The choice is simple. We can pass a bill that recycles the same flawed structures with new titles or we can pass a bill that learns from the past and restores public trust in Scottish qualifications. I urge colleagues across the chamber to think about the issues rather than just voting in the way that their whip has told them to vote. Let us choose real reform and make a difference. Let us support the amendments. Let us send the clear message that qualifications in Scotland must not only be rigorous but be seen to be rigorously and independently accredited.

The Deputy Presiding Officer: I call Douglas Ross to speak to amendment 193 and other amendments in the group.

Douglas Ross (Highlands and Islands) (Con): My remarks might not be briefer than Stephen Kerr's, but I hope that they will feel briefer. He gave us an extensive tour through the series of amendments in the group.

I came into this debate thinking that I hold some responsibility for the number of amendments that we have at stage 3—300 is a significant number of amendments to have at this stage. I asked myself whether I had failed as convener of the Education, Children and Young People Committee because we did not whittle down far enough the 400 amendments that we had at stage 2.

However, as other speakers have said, many of the issues were fully debated at committee—I welcome that—but they were not resolved at that stage because of Government commitments to go away and do further work, which would be done on a constructive, cross-party basis. I will focus on the few amendments in the group that are in my name, but I have to say that I was disappointed by the lack of outreach from the cabinet secretary. I, along with my Conservative colleagues, had one 20-minute meeting with her. At stage 2, when the

cabinet secretary pledged not to push her amendments and members agreed to withdraw or not move their amendments, there was an understanding that there would be more extensive dialogue than one 20-minute meeting.

At that meeting, I was briefly encouraged. There was certainly an indication from the cabinet secretary that she was willing to take on board the concerns from across the political spectrum, and there was a willingness on the part of her officials to work with Opposition members to bring forward amendments that we could all rally round and support.

I therefore ask members to imagine my disappointment when that did not happen. In a room just downstairs from the chamber, I had a reassurance from the cabinet secretary and her most senior officials, who are with us in the chamber today, that they would get back to us well in advance of the deadline for lodging stage 3 amendments with their feedback and potential opportunities for further interaction on amendments. Had it not been for the opportunity that I took in the tea room behind the chamber to ask the cabinet secretary what was happening with those discussions, I might never have received the full apology that I got from her officials that they forgot to get back to Opposition members to follow up on the promises and commitments that they had made.

I was deeply disappointed that the process that we went through in good faith, which was responded to in good faith at the time by the cabinet secretary and her officials, fell down the moment we walked out the door.

Pam Duncan-Glancy: On the offer to work across parties, specifically on accreditation, does the member agree that the meeting that we had made that quite difficult, because it was about promoting what the SQA's current chair thought was the way forward?

Douglas Ross: I agree whole-heartedly with that point, which Pam Duncan-Glancy made in her opening remarks as well as in that intervention. People have differing views on the current and, certainly, the former leadership of the SQA, but the meeting was set up as an opportunity, ahead of one of the scheduled meetings of the Education, Children and Young People Committee, to speak with the cabinet secretary and her officials. What we got in the end was a proposal from the current chair of the SQA—which, we were told, the cabinet secretary only found out about half an hour before the meeting. That is really not the way to do business.

The individual cross-party meeting, which the cabinet secretary and her officials took part in, was, in my view, going to be a place for individual

engagement with the cabinet secretary and Government officials in order to come up with amendments that we could get behind. Sadly, that was lacking. That was the only element of engagement—that and a promise to come back to us. Had it not been for colleagues reminding me about the deadline for lodging amendments, I would have missed it. I just assumed that we had a bit more time, because I had not heard back from the Government. I stupidly trusted the Government to follow through on its promises and commitments.

I welcome the genuine apology that I got from the senior civil servant. I understand that the team is dealing with a lot in relation to the bill, but they made a pledge, a promise and a commitment to engage, and they let us down on that. That is why I resubmitted my amendments.

Stephen Kerr: It being the case that Douglas Ross says that he received an apology from a senior civil servant, why on earth are we doing what we are doing today? Why are we trying to cram 300-plus amendments into a bill that many of us in the chamber feel is deeply flawed and will not deliver on its promise? Why are we spending time on it now? Should we not have taken the summer to have proper discussions and come back to the bill at the beginning of next term, so that we could properly address the issues together as parliamentarians?

Douglas Ross: Yes, we should have done that. Indeed, I still make that plea. If the cabinet secretary wished to use her prerogative to let us all away a bit early today, she could say that she will pause the bill at this stage. I am sure that she could have a discussion with the parliamentary business manager, who is looking at me with great interest—I would take an intervention from him as well. That would give us an opportunity to continue the engagement and discussion.

Willie Rennie: Will the member take an intervention?

Douglas Ross: The bill has been rushed into our final week before the summer recess, but there have been opportunities to extend the process and the time for Parliament to debate what is a crucial issue. Willie Rennie, to whom I am about to give way, knows that it is a crucial issue. Although he believes that he has made progress—others would question that—surely, a bill on the education of Scotland's children now and in the future deserves the ultimate scrutiny of this Parliament. Even if that takes a bit longer, we should do it.

Willie Rennie: It is interesting that Douglas Ross is complaining about the conduct of others. Nevertheless, it is important that we get to the substance of this. Mr Ross has spent five minutes

or so discussing what has gone wrong in the past. Surely he should use the opportunity to discuss what his amendments propose, so that members can consider whether they are appropriate.

Douglas Ross: It is fair to say that my relationship with Willie Rennie has taken a bit of a dip in recent weeks. I had hoped that it might go back up again but, based on that intervention, it has not done so. I gently say to him that, surely, to explain the amendments that I have had to relodge, I have to explain why I have relodged them.

When I withdrew my amendments at stage 2, following an intervention from Mr Rennie, I did not think that I would need to bring them back at stage 3, because we were to have collegiate and cross-party discussions to bring forward amendments that we could all get behind. Mr Rennie might not like to hear it, but, from the point of view of those who are still critical of the bill, it is important that there is an understanding that some of us on the Opposition benches went into that in good faith, in the hope that something could be achieved. Our frustration that deficiencies in Government, whatever those were, did not allow us to do that is genuine.

However, at that invitation from Willie Rennie, I come to my amendments. Amendments 193 to 196 do much the same as what I proposed at stage 2; however, there is a big difference. Again, Mr Rennie might agree with an accusation that is made against me—that I do not always appear to listen to my committee colleagues. However, I have listened very carefully to the concerns that they raised on the amendments at stage 2. The main concern of John Mason and Ross Greer, who sit on the Finance and Public Administration Committee, and others, centred on the additional significant costs in setting up a whole new body. Although I think that having a wholly independent body that had no interaction at all with the Scottish Government or qualifications Scotland would be ideal, I accept that, given that members have voted on a commitment not to establish additional bodies, including in the bill at this stage a provision to set one up would conflict with what the Parliament has already decided.

What I have therefore resubmitted is a proposal for there to be a chief regulator, which is one individual—one additional person—who would be appointed to serve under qualifications Scotland, the Scottish Government and the Scottish Parliamentary Corporate Body, and whose office would be staffed by qualifications Scotland staff, who would work to investigate the complaints that went to the office. We therefore would not have the overheads and financial burden of a whole new additional body; we would have only one

person, who would use the existing resources to do their work.

16:30

I know that Willie Rennie and others are keen for us to make progress, but many members in this chamber did not sit through stage 2 and do not know the background to my amendments, or to the amendments that everyone else has lodged. I will therefore briefly make the following points.

My amendments go back to a petition that was submitted to this Parliament in 2013. In PE1484, Ian Thow asked for an independent regulator for national exams set by the SQA. Twelve years on, we still do not have that independent regulator. At the time, the Scottish Government said in response to that petition that it was not really a matter for it, but a matter for the SQA. The SQA said at the time that it was not needed because there was no issue with the exams that it was running and no complaints, and so there was no need for an independent regulator.

I think that everyone who has mentioned higher history today accepts that there were major problems with last year's exam. Although we hope that that was not the case this year, last year shone a light on an area where there were multiple concerns not only from pupils and students who did not get the grades that they wanted or expected, but also from staff—and not only staff in the schools who taught their pupils and students throughout the year and expected them to achieve better, but also staff in the SQA.

We had whistleblowers telling us that something had gone wrong and that something needed to be looked at, but we got nothing. Months passed before the former chair of the SQA belatedly commissioned a report that was essentially an internal report from an organisation that was marking its own homework, even though it was peer reviewed by someone outwith the SQA and outwith Scottish education. That raised so many concerns that it prompted me to go back and look at how the issue had been discussed in the past, and that petition from back in 2013 seemed as pertinent in 2025 as it was 12 years ago.

I spoke to Ian Thow when I lodged my original amendments on the issue at stage 2. They have now been relodged, and he is still keen for his proposal from more than a decade ago—it was considered by the Public Petitions Committee but taken no further—to be debated and, hopefully, supported in this Parliament. I hope that, through my remarks and through the amendments before us, I have stipulated how we have overcome the issues around cost and the establishment of a brand new body that members were concerned about.

I also remember the meeting that I had with the cabinet secretary ahead of stage 2, in which she said that she was going to look at the art of the possible. I think that these amendments are the art of the possible. As Stephen Kerr said, they complement many of the other amendments, whether lodged by Stephen Kerr, Pam Duncan-Glancy, or even Willie Rennie himself. I may not be delighted by Willie Rennie's amendments or how he has got there, but he has certainly made progress, in his view, in his discussions with the cabinet secretary. However, the chief regulator, independent of Government and of qualifications Scotland, could also complement Willie Rennie's amendments and, I believe, the amendments lodged by Ross Greer.

Briefly, I note that amendment 193 establishes the independent office of a chief regulator. Amendment 194 looks at the core responsibilities of that chief regulator and, crucially, establishes the independence of the chief regulator from both qualifications Scotland and the Scottish Government. I am sure that the ministers on the front bench and their supporters behind them will welcome that, because, if there is another higher history problem, it will not be Government ministers that are held to account for it, but the chief regulator, appointed by the Scottish Parliamentary Corporate Body.

Amendment 195 is about the complaints process. It would establish a process for complaints to be made, investigated and determined if a higher history problem was repeated, or there was a problem in a different subject or in different circumstances. I believe that that would give students, parents, staff and many others more enthusiasm in relation to getting involved in an investigation of that type, and that, crucially, the outcome of any such investigation would have more credibility. Finally, amendment 196 would stipulate that the chief regulator should provide an annual report to Parliament.

I have tried, working with both Government and the legislation team within Parliament, to come forward with a series of amendments to complement other processes and aspects of the bill, whether they come from Government or other Opposition members. I hope that the Parliament will strongly consider supporting the amendments in my name, which, a decade on, could establish the independent regulator that has been called for by some in education circles for many years and provide the insurance process that will mean that our young people get the grades that they deserve in examinations in the future.

The Deputy Presiding Officer: Members will note that we have now passed the time limit proposed by the Parliamentary Bureau, and agreed by the Parliament, for the debate on this

group. I have exercised my power under rule 9.8.4A(c) of standing orders to allow the debate on the group to continue beyond the time limit in order to avoid the debate being unnecessarily curtailed.

I call Ross Greer to speak to amendment 282 and other amendments in the group.

Ross Greer: Given that some of the amendments before us were lodged and debated at stage 2, I will speak to them today only in my view of them, and the position of the Scottish Greens, has changed since then. I will not repeat the remarks that I made at stage 2. If members are interested in my position and that of the Greens on those issues, they can check the *Official Report*.

The debate on the accreditation function has clearly become the most contentious aspect of the bill process, which was not necessarily what we expected when it started, some years ago. In the eyes of some members it has clearly become the litmus test for whether there will be real change. However, that debate has become thoroughly confused, as Willie Rennie set out at the start of the debate on this group. We might ask, "The accreditation of what?", we have become so focused on matters of location rather than the function itself. As I said earlier, moving that function would not prevent a repeat of the higher history debacle that we saw recently, because, as it stands, the accreditation function does not accredit the SQA's own national qualifications.

The package of amendments lodged by me, the cabinet secretary and Willie Rennie addresses both the function and the form of the accreditation process. My amendments will establish the separate roles of chief examiner and chief accreditation officer at qualifications Scotland, and they will create a clear separation between their functions. Willie Rennie's amendments will create the review process that we will need if we are to decide on the scope of the accreditation function and the mechanisms to deliver it. Accrediting all SQA national qualifications properly is probably a good idea, but it would involve a huge change that we did not consider earlier in the bill process. It did emerge as a significant issue, but it was not thoroughly considered.

My amendments on creating the role of the chief examiner will come up much later, in group 22, but I will touch on them now in order to give members a clearer idea of the proposed overall shape of the organisation should all the amendments in the package be agreed to. First, I will run through each amendment in the group.

Amendment 282 will establish the role of chief accreditation officer. That will be an important step to further strengthen the separation of the

accreditation functions from qualifications Scotland's other functions.

Amendment 284 sets out that the accreditation committee will have oversight of the setting of that role and that it will require to be independent from the chief examiner. Although it will enable the sharing of information as appropriate, there will be a clear separation between the two.

Pam Duncan-Glancy: Will the member set out what would happen to the accreditation function should it be decided that school-based qualifications should be accredited?

Ross Greer: The first and most obvious impact is that the capacity of the accreditation function would need to be increased significantly. The team that currently delivers accreditation within the SQA contains in the region of 20 people. The roles of other individuals within the organisation touch on accreditation, but, as things stand, that group of 20 people provides a substantial but discrete function. There would need to be a significant expansion of that group for us to deliver accreditation for national qualifications. That is what we should consider, but we have not previously considered it as a key point. It would involve such a significant change, and it would require such a significant increase in capacity, that the right process for it would be the review that Willie Rennie proposes and the follow-up to that review. [*Interruption.*]

The Deputy Presiding Officer: Mr Greer, will you resume your seat for a second?

Too many conversations are starting to happen around the chamber. If members need to have conversations, I would be grateful if they took them outside.

Mr Ross, please continue.

Pam Duncan-Glancy: Will the member take an intervention?

Ross Greer: Thank you, Presiding Officer. I will be happy to take Pam Duncan-Glancy's intervention.

Pam Duncan-Glancy: In the interests of time, I will save the rest of my remarks for closing speeches. On the member's last point, does he agree that the fact that the Government had not considered those circumstances means that it is yet again proposing a review, which is an unsatisfactory situation? We really should be moving towards agreeing today the legislation that will finish the job.

Ross Greer: In many ways, I agree with Pam Duncan-Glancy. I, too, wish that those issues had been considered before now. However, we should all take some responsibility for that; it is not just on the Government. The committee managed to get through the stage 1 process largely without

addressing that question. To be honest, if we look back at the *Official Report* of the stage 1 proceedings, we all need to reflect on the fact that we were often talking about an accreditation function that did not yet exist as though it had already accredited the national qualifications. Collectively, our contributions to the debate missed the mark, and responsibility for that should fall not just on the Government but on all members. We must reflect on that. We have a process here, primarily through Willie Rennie's amendments, to address the fact that we did not have that debate—that we did not consider that evidence properly—and we can now do so.

My amendment 285 will guarantee that the role of the chief accreditation officer cannot be held by the chief executive. Separating those roles will be a further safeguard. It will ensure that the roles and responsibilities are distributed appropriately within qualifications Scotland.

Amendment 288 is consequential to amendment 282. Importantly, taken together, the package will provide clearer leadership, with an appropriate degree of independence for the accreditation function within qualifications Scotland.

Amendments 305 and 306 will strengthen the independence of the accreditation committee by providing that staff members of qualifications Scotland cannot be members of that committee, although, of course, they could attend meetings as observers or participate at the discretion of the convener. That replicates my stage 2 amendments with regard to the interest committees, and I think that it is a far more important provision for the accreditation committee. I do not think that it would be appropriate for members of staff to sit on the committee that is accrediting those qualifications.

That is all that I will say specifically on my amendments in the group, but I will give a bit of brief context to how they fit into the wider reform. As I mentioned, my amendments in group 22 will require the creation of a chief examiner alongside the chief executive and chief accreditation officer. Although the accreditation officer will be accountable to the accreditation committee, the chief examiner will be responsible for responding to the advice of the expert group on standards, to be established by Willie Rennie's amendment 125.

In summary, I believe that this will be a major change from the SQA in both form and function. We will have a separate chief executive, chief examiner and chief accreditation officer. The chief examiner will have the expert group on standards advising them, and the chief accreditation officer will have the accreditation committee, which will also be made up of external experts rather than staff. They will be required in law to discharge their duties independently of one another.

Those are strong arrangements for day 1 of qualifications Scotland. The review will give us time to consider the much bigger question of the scope of the accreditation function and to address that properly at a later point.

I said at stage 2 that, in this process, we might need to settle for the least bad option, and at that point I suspected that that option might be moving accreditation into the inspectorate, flawed as that would be. This package of measures is better than that. It is about having a separation of roles and functions, robust governance arrangements and a clear process for making the next big decision in a considered manner.

I urge members to agree to the amendments in my name and in the name of Willie Rennie, and, as we come to them, those in the name of the cabinet secretary.

Jenny Gilruth: I am grateful to all members of the Education, Children and Young People Committee for their further engagement and collaboration on the matters in this group following stage 2 consideration of the bill.

I am also grateful to the chair of the SQA, who—as Mr Ross alluded to—provided for an hour's session with all members to set out the current position in relation to accreditation and to talk about the experience of staff.

One aspect that has been missing from the debate thus far on this group of amendments is the fact that there are a number of staff in the SQA at the current time and we are talking about their jobs. We need to do so diligently and with respect for the positions that they hold. Their trade union has written to the Parliament. I read out in my intervention on Ms Duncan-Glancy the position of Unite the Union that accreditation should remain within the SQA at the current time, and I think that that is an important point.

Pam Duncan-Glancy: I have outlined why Unite the Union said that at this very late stage in the game, and I have reminded Parliament that the union considers that the function and the scope of regulation and accreditation should have been considered long before now and been moved into a separate body.

Does the cabinet secretary recognise that, while the Government has dithered and delayed over the proper reform of education in Scotland, the morale of the staff at the SQA has fallen to an all-time low on the Government's watch?

Jenny Gilruth: I say to Ms Duncan-Glancy that reform is right here, in front of her. People can either choose to be part of that process or they can opt out. I have to say that it sounds as though the Scottish Labour Party is going to opt out.

Ross Greer's amendments will further strengthen the leadership and separation of the accreditation function in qualifications Scotland and will link the role of the chief accreditation officer to the accreditation committee. A key theme in debates at stage 2 was the scope of the qualifications that accreditation will cover, and, as we have heard, Mr Rennie's amendments will strengthen the review of the scope and location of accreditation while ensuring that Scottish ministers will have to follow a timely and transparent process with Parliament when that review concludes.

That approach recognises that further work is required to fully assess the scope and location of the function and to provide an appropriate mechanism for ministers to take forward a review and any future legislation that is required. I am particularly pleased that, through our dialogue with Mr Rennie on his amendments, we have been able to propose a pragmatic and deliverable way by which we can be further assured about the quality assurance and standards of our school-based qualifications—which, I remind members, are currently not covered by accreditation. I urge all members to support the amendments in the names of Mr Greer and Mr Rennie in this group.

16:45

Let me turn to the other amendments in the group. Pam Duncan-Glancy seeks to move the accreditation function to a new public body, which she seeks to establish elsewhere in the bill. I am not able to support the creation of an additional public body, as we discussed extensively at stage 2, particularly given the current financial constraints on the public sector in Scotland. In addition, creating a body at stage 3 strikes me—to quote Ms Duncan-Glancy—as being not an optimal use of good law.

Ms Duncan-Glancy also seeks to establish the position of a chief regulator to oversee accreditation in that new body. I fear that that would further confuse an already complex landscape, and I urge members not to support her amendments in this group.

Pam Duncan-Glancy: If the cabinet secretary does not support any of the proposals that Scottish Labour Party members or, indeed, Conservative members across the chamber have put forward, how is she going to give effect to the promise that she made at stage 2 to move accreditation from SQA and provide an alternative? What exact alternative is the Government providing today?

Jenny Gilruth: The exact alternative has already been articulated by both Mr Rennie and Mr Greer in their amendments, which talk about

the need for a review and potential legislation in this space. Ms Duncan-Glancy is following the exact line of argument that she pursued at stage 2, in which she would look to remove the function without first reviewing the scope of the qualifications that are covered and without reviewing the staff and how her proposal would operate with regard to their contracts. To me, it appears that Ms Duncan-Glancy has not listened to Parliament. I have listened to Parliament and have reflected on my position, and I have engaged with Mr Rennie and Mr Greer to arrive at a position on which Parliament can come together.

Douglas Ross's amendments seek to establish the office of the chief regulator for examinations. Given the enhanced quality assurance measures that are set out in Willie Rennie's amendments, and given Parliament's clear presumption against the creation of any new bodies supported by the Scottish Parliamentary Corporate Body, I would urge that his amendments also be resisted.

Douglas Ross: In speaking to my amendments, I made it clear that I believe that those provisions could complement and work with Willie Rennie's amendments. Is there anything in my amendments that would conflict with those amendments and that the cabinet secretary could not support, or is it about a decision not to have an independent person in that role? It would be an independent person and not a body; the moratorium that she spoke about relates not to individuals but to the setting up of brand-new boards and quangos.

Jenny Gilruth: The issue, which Mr Ross and I debated at stage 2, relates to the fact that that individual's role would be created in relation to the SPCB, and the Parliament has already expressed a view in that regard. I think that Mr Rennie's amendments cover the challenge that Mr Ross sets out.

Stephen Kerr's amendments seek to remove the accreditation function and place it under the role of the chief inspector. I have to wonder whether he has engaged with the chief inspector on that point and asked her opinion. Nevertheless, that would introduce unnecessary complexity into the landscape, and the inspectorate's purpose should not be diluted in that way. I believe that, given the package of measures that Willie Rennie and Ross Greer have put forward, Stephen Kerr's amendments, too, should be resisted.

Finally, I reflect on the fact that there has been extensive cross-party engagement on this topic. There has been engagement with the chair of the SQA and individually, on a bilateral level, with every member of the Opposition who has lodged amendments on the subject. I and my officials have spent time with them, although I have heard some challenges in that regard today. I think it rather unfair that some of the discussions have

been characterised in the way that they have been—

Stephen Kerr: Will the cabinet secretary give way?

Jenny Gilruth: —because I have shown willing at every step of the way, which is why we have been able to reach a resolution with Mr Rennie and Mr Greer today.

Stephen Kerr: Will the cabinet secretary give way?

The Deputy Presiding Officer (Annabelle Ewing): The cabinet secretary has concluded her remarks.

I call Pam Duncan-Glancy to wind up and to press or withdraw amendment 98.

Pam Duncan-Glancy: I have to say that I am left entirely deflated and disappointed by the debate. I will address some of the points that we have heard, although I am mindful of time.

I start with Willie Rennie. As I said earlier, I hugely respect him—I hope that he will permit me to speak while facing away from him so that I can see my notes; he should not take that as disrespect. I feel that the points that have been made have not fully addressed the issues that I highlighted. Willie Rennie talked about a substantial review. My amendment 200, on the role of the regulator, would offer that, while also moving the accreditation function out of the qualifications body, which experts and others have said needs to happen.

Mr Rennie talked about how the higher history situation would not have been changed if the accreditation function had been moved, because accreditation does not currently include school qualifications. However, they might be included in the future, and that could involve a substantial increase in resource or staff. Such questions should have been addressed by now. The Government has been trying to reform education since 2020 and has come only this far. That could have been addressed by now, but it has not been. That is the sort of thing that will have to be considered in the potential scope, and my amendments allow for that scoping exercise to take place.

The higher history situation happened because the SQA was able to determine the quality assurance of its own qualifications. That cannot continue, so we have to look at a means of separating out that function.

Jenny Gilruth: The member has suggested that the quality assurance function in relation to higher history was the challenge. She knows—and we have heard today—that the accreditation function does not apply to any school-based qualifications

in Scotland. Therefore, it was not the cause of the higher history challenges.

Pam Duncan-Glancy: The cabinet secretary knows that I acknowledged that, but what I said was that those qualifications are not yet accredited. That question might be addressed in the future scope, and it should, indeed, have been addressed if the Government had had its eye on the ball and its finger on the pulse and if it had done the job in the first place, but that did not happen.

I see some front-bench members shaking their heads, but the quality of the higher history qualification was determined by the body that delivered it. That is not about accreditation but about quality assurance. The only mechanism for that type of quality assurance right now rests with the body that delivers and designs the qualification. That is an unacceptable situation and, at some point, that function has to move out of the body. Countless amendments that Parliament faces today could have done that.

My amendment 200, which we will discuss later—we can all look forward to that—is about having the role of a chief regulator and looking at scope and function. In the meantime, we suggest moving the accreditation function in order to separate the functions.

Willie Rennie spoke a couple of times about the need to do that in an orderly way. I agree that we absolutely have to do it in an orderly way, but the way in which the Government's bill has progressed could not have been more disorderly. We have no order for how we are going to move the function, and the cabinet secretary's only option at stage 2 was to say, "Right, nobody press anything—I'll work with you again, and we'll try to get this right, because I recognise that we haven't done the work on it." Yet here we are at stage 3, with the Government not progressing any reform to the current situation.

Jenny Gilruth: I remind Ms Duncan-Glancy that the committee asked me not to press amendments so that we could come together on a solution. I responded by doing so.

We have been able to reach a solution by working on a cross-party basis with two parties. Labour and the Conservatives are jointly objecting to that, because they were not able to come forward with solutions and work with the Government. However, I listened and responded to an ask of the committee and, today, we have the solution on the table.

The Deputy Presiding Officer: I hope that we are moving to the denouement, Ms Duncan-Glancy.

Pam Duncan-Glancy: I am getting there, Presiding Officer.

That characterisation is not what happened. The cabinet secretary knows fine well that, because there were difficulties with amendments, she asked every one of us not to press ours and she agreed not to press hers.

Miles Briggs: It feels as though the Opposition parties are trying to lead the Government to a solution, but the Government is finding deliberate terms not to support that.

I see that Willie Rennie's and Ross Greer's heads are down, but it was for all Opposition parties to create a situation in which the Government had to bring forward reform. We have seen a weak version of that today, and I commend Pam Duncan-Glancy for the amount of work that she has done to try to get the Government to see sense.

Pam Duncan-Glancy: Many members, including Miles Briggs, have done a lot of work on the legislation, because, as I said in my previous remarks, there is nothing more important than getting this right for Scotland's children.

I turn to comments from Ross Greer. I note with much respect that he says that it was the fault of everybody—the Government and the committee—that we got to this point. The Government has the machinery of government. The committee was doing the best job that it could. We listened to experts and took much evidence and information on board. The committee's report was pretty clear on the fact that we listened to the evidence of experts, and it said exactly what had to happen. It is for the Government of the day, with the resources of the Government of the day, to make good on any commitment and to say, "Okay—we need to come to an arrangement that everyone can support." That has not happened.

Ross Greer said that we now have to take the next big decision, as he called it, and that his amendments would allow us to take that decision. The next big decision would be to support proper reform and to reject the Government's amendments and those in the names of Willie Rennie and Ross Greer.

Willie Rennie: At the start of the process, did Pam Duncan-Glancy know that accreditation does not cover school qualifications? Did she understand that? She did not make that clear at all. I have taken a lot of criticism today but, ultimately, the committee did not do its job properly at the early stages to have proper consideration that would ensure that reform would be done in an orderly fashion.

We need to make sure that we do responsible things in the Parliament. What has been proposed

by Opposition members today is not an orderly reform. We need to have orderly reform for the sake of the new qualifications Scotland and our examination system.

Pam Duncan-Glancy: I did know that the accreditation function does not cover school-based qualifications. I made it clear on the record, during the committee's deliberations, why that fact does not prevent the conclusion that we have to separate the scrutiny function from the body that delivers qualifications—that still stands. If the member is suggesting that the committee and its investigations were so flawed, perhaps he may consider that the bill needs to return to the committee.

I urge members to reject a simple review and to support reform by moving the accreditation function out of the Scottish Qualifications Authority or the new qualifications Scotland. Several options are on the table from various members across the chamber. I point to amendment 200, in my name, which talks about a review of the scope of accreditation, which would provide the orderly change that Willie Rennie talked about. Although the cabinet secretary says that I have not listened, it is the Government that has not listened to the experts, pupils, parents and teachers across Scotland, who want us to deliver proper reform in education today.

The Deputy Presiding Officer: I ask Ms Duncan-Glancy to please indicate whether she is pressing or withdrawing amendment 98.

Pam Duncan-Glancy: I press amendment 98.

The Deputy Presiding Officer: The question is, that amendment 98 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. As this is the first division of stage 3, I will suspend for about five minutes to allow members to access the digital voting system.

16:57

Meeting suspended.

17:04

On resuming—

The Deputy Presiding Officer: We move to the division on amendment 98.

The vote is closed.

Foyso Choudhury (Lothian) (Lab): On a point of order, Presiding Officer. My voting app is displaying an error message. Can I check that my vote was registered? I would have voted yes.

The Deputy Presiding Officer: I can confirm that your vote has been recorded, Mr Choudhury.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)

Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 70, Abstentions 0.

Amendment 98 disagreed to.

The Deputy Presiding Officer: Before we move to the next group of amendments, I remind members that we are now substantially behind the timetable that has been agreed by the Parliament. I ask members to be mindful of that as we progress to the next group and subsequent groups during this stage 3 consideration.

Section 6—Working with, or recognition of, others

The Deputy Presiding Officer: Group 3 is on minor and technical amendments. Amendment 99, in the name of Pam Duncan-Glancy, is grouped with amendments 75, 77 to 79, 83, 84 and 97.

Pam Duncan-Glancy: Amendment 99 is straightforward. It fine tunes section 6 so that the duty on qualifications Scotland to co-operate with other public bodies and stakeholders is expressed in the same clear terms as are used for His Majesty's chief inspector of education in Scotland elsewhere in the bill.

I move amendment 99.

Jenny Gilruth: I welcome Ms Duncan-Glancy's amendment 99, which helps to bring clarity following a related amendment that she lodged at stage 2.

My amendments in the group relate mainly to definitions. Amendments 77 and 79 add definitions of the interest committees, in light of the greater role that they are rightly being given, which has led to them being referenced throughout the bill.

Amendments 75, 78, 83 and 84 simply add bill-wide definitions of college teaching staff and registered teachers, which previously applied only for the purpose of paragraph 3 of schedule 1, as initially that was the only place where the terms were used.

My amendment 97 renumbers the place at which qualifications Scotland will be inserted into the list of bodies that are subject to the Scottish Public Services Ombudsman Act 2002, because of changes to that list since that act was passed.

The Deputy Presiding Officer: I call Pam Duncan-Glancy to wind up and to press or withdraw amendment 99.

Pam Duncan-Glancy: I have no further comments. I will press amendment 99.

Amendment 99 agreed to.

Section 7—Duties when exercising functions

The Deputy Presiding Officer: Group 4 is on qualifications Scotland's duties when exercising its functions. Amendment 100, in the name of Ross Greer, is grouped with amendments 2, 101 to 107, 157, 318 and 265.

Ross Greer: Amendment 100 would require qualifications Scotland to consult such persons with an interest as it considers appropriate in every case in which it believes that it would be appropriate to do so. Amendment 106 specifies that the persons with an interest are those undertaking a qualification, those providing teaching or training in respect of a qualification

and others who qualifications Scotland considers to be appropriate.

The purpose of the amendments is to strengthen the consultation duties on qualifications Scotland, particularly with learners and teachers, but also with the wider system. That would address what I think we all recognise is the historical failure of the SQA to have that kind of systematic consultation and engagement with the people who are most directly affected by the decisions that it takes.

Amendment 104 would add a requirement for qualifications Scotland to have regard to the need to operate in a transparent and accountable way when exercising its functions. That comes down to the challenge of a lot of what we are trying to legislate for. We are trying to legislate to change culture, because many of the SQA's failures are cultural rather than structural. The amendment sets out a principle to operate by without being so specific as to restrict any necessary operational flexibility. I hope that the amendment sets a clear expectation on the organisation and introduces a provision through which it can be held to account.

Amendment 105 would require qualifications Scotland, in the exercise of its functions, to prioritise the provision of services in Scotland, so far as that is reasonably practical. That is to ensure that qualifications Scotland focuses its resources on supporting services that are delivered to learners here, while enabling it to still deliver services outside Scotland if necessary.

That would address the problem that we had with the SQA, largely before the pandemic, when, frankly, far too much focus—in particular, far too much senior management focus—was put on international commercial activity. I do not have an issue with such international activity in principle. It generates revenue that can be reinvested in our system, but the balance was not right. The amendment would ensure that we redress that balance and make it clear where qualifications Scotland's priorities should lie.

I move amendment 100.

Stephen Kerr: Amendment 2, which is in my name, seeks to raise the bar to elevate the ethical, professional and learner-focused duties of qualifications Scotland. If the Parliament is, as Ross Greer has just said, serious about reforming the culture of national agencies in Scottish education, we must legislate for values, including respect for the professional expertise of teachers and a commitment to the future needs of learners and the economy alike.

Amendment 2 would insert into the bill an additional duty that would require qualifications Scotland to

“have regard to any recommendations made or advice given to it by Education Scotland”

in two specific domains: the curriculum, and professional learning and development for those teaching or training towards qualifications Scotland qualifications.

The purpose is straightforward but important. It is to build a statutory link between the work of those who design the qualifications and the professionals who deliver the curriculum. That is about restoring a relationship of mutual professional respect that was badly damaged under the old SQA regime. Too often, teachers were left feeling dictated to by national agencies that seemed deaf to the realities of the classroom.

Professor Ken Muir, in his report “Putting Learners at the Centre: Towards a Future Vision for Scottish Education”, warned about precisely that disconnect. He wrote that there is a strong perception that teachers and practitioners were not adequately consulted or engaged with on the changes that affected their practice and that that has contributed to a culture of mistrust.

Professor Mark Priestley of the University of Stirling told the Education, Children and Young People Committee:

“The system is set up to justify itself and to celebrate its success, rather than take a critical look at what happens, and that is seen very clearly by practitioners working on the ground. There is a lack of connection as well. I would like to see a much more coherent middle layer in the system that actively connects policy and practice, and that involves practitioners as active members of the community”.—*[Official Report, Education, Children and Young People Committee, 18 September 2024; c 30.]*

We cannot build a credible qualifications system while ignoring that warning. The principle of professional respect is not optional—it is essential. Amendment 2 takes that principle seriously and would embed it in statute.

I support amendments 102 and 157, which are both in the name of Pam Duncan-Glancy. Amendment 102 would require qualifications Scotland to consider representations from the Scottish Funding Council and Skills Development Scotland. That is welcome and, I would argue, an essential addition to the bill. The voice of Skills Development Scotland must be heard not as an afterthought but as a critical partner in aligning qualifications with the evolving needs of the labour market.

17:15

At present, Scotland's education system has a serious blind spot when it comes to digital and technological skills. The report “Fit for the Future: developing a post-school learning system to fuel economic transformation”, which is known as the

Withers review, described the existing skills landscape as “fragmented” and called for a radical change. James Withers wrote:

“the system was more complex and richer than I had experienced.”

However, he noted that the system was not focused on the user—the learner—and that, too often, it reflected the needs of the institutions, not of the people or the economy. That observation from James Withers is very important.

Nowhere is that disconnect more visible than in computing science. In 2008, 4,256 pupils sat higher computing; last year, only 3,745 did, which is far fewer than 15 years ago. Over the same period, the gaming industry, artificial intelligence and cybersecurity have become foundational for the global economy. At the same time, the number of computing science teachers has dropped, from 766 in 2008 to only 550 last year, which is a loss of 216 teachers. Those are not only statistics; they are a flashing red warning light on the dashboard of Scottish education.

Amendment 102 will not fix the crisis on its own, but it will begin to align our qualifications system with the workforce needs of the future. It will compel qualifications Scotland to take seriously the advice of those who are tasked with planning for Scotland’s economic future, and it will compel it to avoid drifting aimlessly into irrelevance.

I offer my support for amendment 157, in the name of Pam Duncan-Glancy, which would give the Scottish ministers the ability to issue guidance to qualifications Scotland while preserving the agency’s operational independence. Qualifications Scotland would not be obliged to follow such guidance, but if it chose not to, it would be required to publicly explain why. The amendment strikes an elegant balance, because it would preserve the new body’s integrity and autonomy while recognising the legitimate democratic role of ministers in providing direction, particularly in times of urgency or crisis.

Contrary to what members on the Government’s front bench might think, I am not opposed to all ministerial influence, but influence must be accountable and transparent. Amendment 157 would achieve both, because it would create a feedback loop in which ministers could act, but qualifications Scotland would retain the right and the obligation to justify divergence. It is a well-judged mechanism for balancing independence with responsibility.

If we want qualifications Scotland to earn trust and deliver real value to learners, we must hardwire the principles of partnership, responsiveness and professional respect into its statutory duties. That is what amendment 2 aims to do and what amendments 102 and 157 will help

to deliver. Together, they offer our Parliament a chance to do more than change the name on the door; they will allow us to change the way that the system works, and I urge colleagues to support them.

Pam Duncan-Glancy: A qualifications system works only when every learner, employer and post-school learning provider can equally see, immediately, the value of all qualifications and how they connect to the next step. The amendments in my name in this group would strengthen that clarity and embed effective co-operation between the new agency and the wider system.

Amendment 101 would require qualifications Scotland to have regard to the Scottish credit and qualifications framework in everything that it does. The SCQF is our common language: it is how a national 5 speaks to a higher, how a higher speaks to a university entrance tariff and how a college certificate speaks to an apprenticeship. All those are critical, not least to support recognition of prior learning. By placing the framework in the bill, we can ensure that our system is consistent and clear.

Institutions evolve, so amendments 107 and 265 seek to give ministers a narrow power, which would be exercised by regulations that would be subject to the negative procedure, to update the reference if the SCQF is renamed or its stewardship is transferred to another body. That would avoid the need for primary legislation and would maintain a straightforward signpost.

Amendment 102 seeks to add a complementary duty, whereby qualifications Scotland must have regard to representations from the Scottish Funding Council and Skills Development Scotland when it exercises its functions. By writing such a consultation duty into statute, we will help to align the school, college and skills landscapes and give young people smoother progression routes that recognise success in all its forms.

Members will notice that amendment 157, in my name, would have permitted ministers to issue non-binding guidance on such matters. The Government’s amendment 318 achieves the same objective with better clarity, so I will not move amendment 157, and I invite colleagues to support amendment 318, in the name of the cabinet secretary.

My amendments are modest, but they seek to do important things. They will lock the SCQF into everyday practice, keep Parliament in control of future rebranding and place a statutory expectation of partnership on the key agencies that shape Scotland’s learner journey.

I intend to move amendment 101, and I urge members to support the consequential and associated amendments in the group.

Jenny Gilruth: I am supportive of all Mr Greer's amendments in the group, which build on matters that he raised at stage 2 and are practical and workable.

I also support what Ms Duncan-Glancy is trying to achieve, especially with amendment 101, which would require qualifications Scotland to

"have regard to the Scottish Credit and Qualifications Framework".

Although I too hope that the regulation provisions that allow us to substitute another framework will never be needed, it is right to have those provided for in the event that they are required in the future.

I support all Ms Duncan-Glancy's amendments in this group, with the exception of amendment 157, but I understand that she does not intend to move that amendment and will instead support my alternative amendment 318.

As Mr Kerr will be aware from stage 2, I am unable to support amendment 2. Although I agree that qualifications Scotland should work with Education Scotland and should consider all stakeholders, I do not believe that that needs to be written into law. A non-legislative approach, such as a memorandum of understanding, would be preferable. In addition, as we discussed during stage 2, Education Scotland is not, in itself, a legal entity. It was created by statute, and it is not an organisation with a separate legal personality, so duties cannot be imposed in relation to it.

For those reasons, I urge members to vote against amendment 2, although I assure them that there will be co-operation between Education Scotland and qualifications Scotland.

The Deputy Presiding Officer: I call Ross Greer to wind up and to press or withdraw amendment 100.

Ross Greer: I have nothing further to add. I press amendment 100.

Amendment 100 agreed to.

Amendment 2 not moved.

Amendments 101 to 103 moved—[Pam Duncan-Glancy]—and agreed to.

Amendments 104 to 106 moved—[Ross Greer]—and agreed to.

Amendment 107 moved—[Pam Duncan-Glancy]—and agreed to.

Section 8—Consultation with Strategic Advisory Council

The Deputy Presiding Officer: We turn to group 5, on the strategic advisory council. Amendment 108, in the name of Pam Duncan-

Glancy, is grouped with amendments 110 to 117, 3, 4 and 118 to 124.

Pam Duncan-Glancy: The strategic advisory council must reflect the full breadth of the voices in Scottish education and its procedures must be transparent from the outset. The amendments in this group would achieve that.

Amendment 108 would place a simple obligation on qualifications Scotland to publish in advance the procedures that it will use when consulting the council. Openness at the start would prevent confusion later and give the council the authority that its title implies.

Amendment 110 is an avoidance-of-doubt provision that would make clear that any regulations that ministers may bring forward regarding the tenure of a council member must stay within the limits that Parliament established at stage 2. In other words, ministers would not be able to use secondary legislation to undo the term-limit safeguards that colleagues across the chamber agreed to at stage 2.

Turning to membership, colleagues will see a series of Scottish Labour amendments—amendments 112 to 115—which, together, define the perspectives that must be present around the table. Amendment 112 would ensure places for those who are undertaking qualifications, for teachers in schools, for college lecturers, for educational trade unions and, importantly, for learners with additional support needs. Amendment 113 would guarantee that those with knowledge of business and industry skills are represented. Amendment 114 would give voice to directors of education, and amendments 115 to 117 would add representatives of colleges, the Scottish Funding Council and universities. Together, those provisions would give Scotland's learners, practitioners, employers and system leaders a key role in advising the body.

Finally, amendments 118 to 120 would clarify that ordinary members may serve no more than three terms, preventing any risk of the council becoming a closed club while still allowing continuity of expertise.

Scottish Labour is also happy to support other amendments in the group, including amendments 3 and 4, in the name of Mr Briggs, which would strengthen the voice of parents and carers, and amendments 121 to 124, in the name of Mr Greer, which would strengthen the council's consultation duties.

The advisory council must command respect from all parts of Scottish education, not by title alone but by the fairness of its composition and the transparency of its practice. The amendments that I have outlined would secure that aim.

I therefore move amendment 108 and invite members to support the remaining amendments in the group.

Martin Whitfield: Before I start, I draw the attention of members and those who are watching to my entry in the register of members' interests as a former teacher who was paid at the beginning of the current parliamentary session by a local authority.

Amendment 111 says:

"members appointed to the council must represent the interests of children and young people".

That arose as a result of my on-going interest in the UNCRC and genuinely listening to young people and children about what affects them—not just having them in the room when a decision is made but having advocates and representatives who can go out, find out what their understanding and desires are, and then reflect them in one of the most important areas that the bill deals with, given its overarching aim.

I intend to take no further part in this bit of the proceedings, other than to say that, given the rights of children and young people, they need to be represented on the council.

Miles Briggs: From the outset of consideration of the bill, I wanted to attempt to make sure that the voice of parents and carers was put at the heart of the new organisation. I am grateful for some of the work that has been done on that, although I have not got everything that I wanted from the bill.

Amendments 3 and 4 would expand on and clarify aspects of section 9(3)(ab), which were inserted into the bill by amendment 129 at stage 2. That section provides that members who are appointed to the strategic advisory council must include persons who represent the interests of parents and children and young people undertaking a relevant qualification. Amendment 3 would expand that provision so that it is about the interests of parents and carers, and amendment 4 would further clarify that it is children and young people undertaking a qualifications Scotland qualification who are relevant here.

Ross Greer: Amendments 122 and 124 would provide that the regulations establishing the strategic advisory council must provide for it to consult with the interests committees, any other committees that qualifications Scotland has and anyone else that the council thinks is appropriate, as well as with qualifications Scotland itself. The council should also have regard to any wider consultation that is carried out by qualifications Scotland—that is, it should not duplicate efforts in that regard.

The purpose of the amendments is to improve the transparency and effectiveness of how the advisory council operates to make it more impactful and to better shape qualifications Scotland's decisions. There is clear consensus that the lack of meaningful consultation and engagement by the SQA was a major contributing factor to the situation that led to the bill, so embedding in law those requirements on various aspects of qualifications Scotland's structure should prevent a repeat of that.

Amendments 121 and 123 are simply consequential amendments that would give effect to amendments 122 and 124.

17:30

The Deputy Presiding Officer: Members will note that we will shortly reach the time limit for groups 3 to 6 and that we still have a further group to debate under that limit. I am minded to accept a motion without notice, under rule 9.8.5A of standing orders, to propose that the time limit for groups 3 to 6 be extended by 30 minutes. I invite the Minister for Parliamentary Business to move the motion.

Motion moved,

That, under Rule 9.8.5A, the time limit for groups 3 to 6 be extended by up to 30 minutes.—[*Jamie Hepburn*]

Motion agreed to.

Stephen Kerr: I will take a moment of the Parliament's time to speak in support of Pam Duncan-Glancy's amendments 112 to 120, which are important because they seek to improve the legitimacy, relevance and capability of the strategic advisory council. I highlight that because, if the advisory council is to be more than just a ceremonial talking shop, it must be built on the expertise and experience of people who understand education at every level, and particularly those on the front line. More important, however—this cannot be overstated—it must also include voices from business and industry. Without those perspectives, any recommendation that the council produces, no matter how well intentioned it is, will risk being completely disconnected from the real world of skills demand and economic opportunity. I have already highlighted an example of what I think is happening: we are going in the wrong direction on computing science, and I do not want that outcome to be repeated.

We also have a system that disproportionately channels young people into four-year university degrees, often in oversubscribed fields such as primary teaching or disciplines where there is little to no industry demand in Scotland. The result is that too many graduates emerge into a saturated job market and face the disheartening choices of leaving Scotland to find work, retraining in a

completely different field or entering a job that they could have secured in the first place without having the degree. James Withers said:

“There is no ‘golden pathway’; no learning journey that is more worthy than another. For too long, we have fostered a culture in which going to university is seen as the ultimate post-school achievement with all other options being considered varying degrees of second-best.”

That is a powerful quote, and it is why amendments 112 to 120 are important.

Amendment 119 deserves particular mention because it seeks to limit the length of a single term on the advisory council to four years. Amendment 120 would go further and ensure that no individual could serve for more than 12 years in total. Those limits are sensible and much needed. Fresh thinking, new voices and continual renewal must be embedded in the DNA of any national advisory body. That is a theme that I will come back to.

Jenny Gilruth: I thank members for explaining the purpose of their amendments in the group. A number of them will improve the provisions on the strategic advisory council in important ways that were discussed at stage 2.

I support Ms Duncan-Glancy’s amendment 108, which would require qualifications Scotland to publish how it will interact with the council and fulfil its consultation requirements. That will increase scrutiny and transparency.

I support Ms Duncan-Glancy’s amendments 118 to 120, which would adjust the term limits for council members. The amendments strike a fair balance between ensuring that individuals are not appointed on an indefinite basis and recognising that we do not want to make the rules so inflexible that institutional memory is lost because too many members are forced to leave at the same point.

I support all of Mr Greer’s amendments in the group and I thank him for his continued engagement on them. They would ensure that the council has suitable information on wider opinion and can take that into account in its operations without duplicating the consultation that qualifications Scotland will carry out.

I support Mr Briggs’s amendments in the group—in particular, amendment 3, which recognises that any rule about having parent members should encompass carers, too.

I am also happy to offer my support to Mr Whitfield’s amendment 111.

As colleagues know, I would have preferred us to leave all the membership rules out of the bill, but the decision was taken at stage 2 to mention parents. As we are doing that, it is only fair that we also make similar mention of children and young people. Although I generally have concerns about being overly prescriptive by putting rules in

primary legislation, I cannot foresee us ever wanting to change that aspect.

However, I am afraid that I am unable to support Ms Duncan-Glancy’s amendments 112 to 117, on membership of the council. There are a number of difficulties with some of the specifics, but I also remind members that membership of the council can be fully provided for under regulations. In my view, the bill is not the appropriate place to make detailed provision about membership. To do so now in the way that is suggested in the amendments would put flexibility at risk and would not allow us to future-proof the legislation.

Amendment 112 has a number of technical deficiencies. The terms “relevant qualification” and “relevant teaching or training” are not defined. Although there are definitions of those terms in the bill, they are expressly limited to covering only paragraph 3 of schedule 1, so the idea of relevancy is unclear in the context of section 9.

There is also no definition of “trade union”, which contrasts with both paragraph 14A of schedule 1, in which there is a local definition, and Ms Duncan-Glancy’s amendments 151 and 302, which would insert local definitions when referring to trade unions. In addition, the amendment continues to refer to “additional support needs” rather than also capturing those with support needs at colleges by adopting the broader term that would be introduced by Mr Briggs’s amendment 76.

Therefore, although the principle behind amendment 112 may be commendable, its detail presents a range of challenges for the reasons that I have set out. I am particularly mindful—

Pam Duncan-Glancy: I appreciate the points that the cabinet secretary has made. However, when the Government saw the amendments being published, why did it not bring forward some manuscript amendments, as it did for other amendments in my name, in order to tidy up those aspects, so that it could support them?

Jenny Gilruth: As I was going to come on to say, the view of the Government is that there will be an option of simply waiting to get it right, as provided for in the regulations, and I do not recall that the issue was raised by any member during stage 2. I may be wrong on that, Presiding Officer—I will come back to that point—but I do not recall its being raised. Neither was it raised by the Delegated Powers and Law Reform Committee. No issues were raised around our establishing that detail via regulation.

Neither are Ms Duncan-Glancy’s other amendments on membership suitably future-proofed, in my view. For example, directors of education in Scotland—

Ross Greer: Before the cabinet secretary moves on, I have a question for clarification on amendment 112. I understand entirely the drafting issues that she has raised; however, for the Green group, the most important element of amendment 112 is the ensuring of trade union representation. The cabinet secretary has mentioned regulations as an alternative. Will she put on the record now that there absolutely will be trade union representation?

Jenny Gilruth: I will come on to that point in dealing with amendment 114 but, to give Ross Greer reassurance in advance, on the record, yes, that is my position.

Amendment 114's mention of "Directors of Education in Scotland" is, presumably, intended to mean the Association of Directors of Education in Scotland, but that is not what it says. Even if the wording were adjusted, it would not work if the network were replaced in the future.

Similarly, amendment 116 deliberately avoids referring to the Scottish Further and Higher Education Funding Council, but that is set up in statute, so could safely be referred to—and it would be clearer to do so.

I therefore ask Ms Duncan-Glancy not to move amendments 112 to 117, on the basis that suitable, accurate and future-proof provision about membership can be made without its needing to be done right now in the bill.

However, I want to reassure Ms Duncan-Glancy that all the persons and organisations that she has sought to prescribe today are those that we fully expect to be on the membership of the strategic advisory council, whether enshrined in regulations or otherwise. That includes the teaching trade unions, which Ross Greer—

Pam Duncan-Glancy: Will the cabinet secretary give a commitment? Rather than saying "fully expect", will she say that the groups that are outlined in amendments 112 to 117 will be included on the strategic advisory council via regulation?

Jenny Gilruth: Yes, I am happy to give that commitment. That is my absolute expectation. However, I want to talk about the detail. That includes the teaching trade unions, university and college representatives, local authorities, and other organisations and bodies for educational qualifications, training skills and industry.

It goes without saying that the Government fully supports the principle of those groups being on the strategic advisory council. Given the strength of interest, from all members, on the clarity of that in legislation, I put it on the record that we commit to working with members, as Ms Duncan-Glancy has

alluded to, to prescribe those groups in regulations.

I turn to Ms Duncan-Glancy's amendment 110, which cross-refers to sections 9(3)(ac) and 9(3)(ad). Her amendments 118 to 120 would restructure those provisions, which means that the cross-references would no longer work. I therefore cannot support amendment 110, but I reassure Ms Duncan-Glancy that it is not needed to achieve her desired outcome, because the ability to make provision under section 9(2)(b) will, of course, be restricted by anything that section 9(3) says about what the regulations must do. The council conveners are simply a particular type of member, so it will not be possible to make provision about the tenure of office of either the conveners or other members that conflicts with the provisions in amendments 118 and 120.

I hope that that reassures Ms Duncan-Glancy that amendment 110 is therefore not necessary, and I ask her not to move it, on the basis that it would insert a reference to a provision that will be removed, which would only confuse matters.

The Deputy Presiding Officer: I call Pam Duncan-Glancy to wind up and to press or withdraw amendment 108.

Pam Duncan-Glancy: On the basis of the commitments that the Government has made to include representatives of trade unions, directors of education, representatives of colleges and universities, and people who have knowledge and skills relevant to business and industry, I am prepared to not move the amendments when the time comes, now that we will secure the membership of those groups through regulation. However, I wish that the Government had used the opportunity to lodge manuscript amendments to do that; I genuinely believe that it could have done so. Nonetheless, I think that we can achieve a similar aim.

I also take the point about amendment 110. Perhaps the cabinet secretary could intervene to help out, because I would like to check my understanding that, if amendment 110 is not pressed, amendments 118 to 120 should still work, and that I should still press them. I think that the point that the cabinet secretary is making is that amendment 110 is no longer required.

Jenny Gilruth: Yes.

Pam Duncan-Glancy: I thank the cabinet secretary for that.

The membership of the strategic advisory council is crucial, because qualifications Scotland needs to be fit for the future. I have said, at other times, that I am worried about its ability to do that. However, at the very least, through its membership, it has to reach out across the

qualifications system, across industry and skills and across the representative bodies. On that basis, we should support the amendments that are pressed in the group.

On that note, I will press amendment 108.

Amendment 108 agreed to.

Section 9—Strategic Advisory Council

The Deputy Presiding Officer: Group 6 is on unique learner number. Amendment 109, in the name of Pam Duncan-Glancy, is grouped with amendment 224.

Pam Duncan-Glancy: Every learner travels a journey that stretches far beyond a single classroom or a single year group. They move from early years to primary, from primary to secondary and, if we do our jobs right and properly, on to college, university, apprenticeships, work-based training or work.

To understand whether that journey is smooth or broken or whether the attainment gap narrows or widens, and to address the challenges identified in those areas, it is important to be able to follow the same learner securely and confidentially across the whole system. That is the purpose of amendment 109. It does not impose a new database or system specifically, and it does not compel any school to adopt a particular piece of software overnight. What it requires is simply this: that qualifications Scotland, when planning how it will deliver and improve its functions, considers whether creating a unique learner number, supported by an appropriate data-sharing agreement, would help. If the answer is no, the agency may set out its reasons and move on. If the answer is yes, Parliament will know early, and can scrutinise any proposals in detail before money is spent.

Amendment 224 is a companion amendment that will apply the same expectation to the chief inspector's advisory council. That will ensure that the inspectorate's advice to ministers is informed by the same question: would a unique identifier assist the evaluation of standards and outcomes across different learning settings?

Members will appreciate three advantages to a unique identifier. First, it would allow policy makers to trace a cohort's progress accurately and see, for example, how many young people progress through education. Secondly, it would support fairer funding by allowing people to spot where support is and is not working. Thirdly, it would reduce the administrative burden on schools that currently have to match learners across multiple incompatible systems.

Members will know that there are on-going pilots looking at widening access support for students

who are going on to college and university. Having that number attached to individuals will mean that we are able to refine the system so that families get the right support for their income.

I am, of course, conscious of privacy concerns. That is precisely why the amendments require consideration of data-sharing agreements as part of the exercise. Any recommendation emerging from the process would have to satisfy data protection law, and would come back to Parliament for approval, as is good and correct.

Good data is the foundation of good policy. These amendments will do nothing more and nothing less than ensure that the new qualifications body and the inspectorate ask themselves at the outset whether a unique learner number is the tool that they need to make Scottish education fairer and more effective.

I move amendment 109, and I commend amendment 224 to the chamber.

Jenny Gilruth: I thank Ms Duncan-Glancy for setting out the purpose of her amendments 109 and 224. At stage 2, similar amendments were debated, which I did not support, and I am not prepared to support these amendments. Although I do not want to revisit those arguments today, for the benefit of those who were not present at stage 2, I will provide an overview of why the proposed provisions are not appropriate for the bill.

First, the issues go beyond the responsibility of the advisory council of either body and the matters that they would be expected to advise on. It would also not be within the responsibility of either organisation, nor would it be within its gift, to implement changes as a result of any such advice. Consideration of any such changes would need consultation with stakeholders across the whole of education and skills, including higher and further education institutions, whose autonomy must be recognised.

17:45

I note that, on 15 May, the Education, Children and Young People Committee published its report on widening access to higher education, following its inquiry into progress on widening such access. At the committee's evidence session on 11 June, Mr Dey set out the progress that has been made in recent months on the work that we have undertaken on a unique learner number, which has included engagement with Universities Scotland, the Scottish Funding Council and the Commissioner for Fair Access.

Pam Duncan-Glancy: That particular committee session included quite a long discussion on what could or could not be done on data-sharing arrangements. If the bill that is before

us is not the mechanism for addressing that aspect, will the cabinet secretary advise members which bill would cover it?

Jenny Gilruth: I think it worth while recounting on the record that a lot of work on that aspect is currently going on in the Scottish Government. Mr Dey made that point at committee not three weeks ago. Officials have also met the Scottish Information Commissioner to garner his thoughts. As Mr Dey has emphasised, that work is extremely complicated, so members will appreciate that time needs to be taken to ensure that it is done properly.

I will be more than happy to engage with Ms Duncan-Glancy on the substantial of her amendment 109, and I am sure that Mr Dey will feel similarly. The issues that she raises in that amendment are important, but they cannot be delivered through the current bill, so I cannot support either of her amendments in this group. However, I reiterate my invitation to discuss the matter with her and other members with an interest in establishing a unique learner number, outwith the confines of the bill process.

The Deputy Presiding Officer: I invite Pam Duncan-Glancy to wind up and to press or withdraw amendment 109.

Pam Duncan-Glancy: In the interests of time, I will make no further comment. I press amendment 109.

The Deputy Presiding Officer: The question is, that amendment 109 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Pauline McNeill (Glasgow) (Lab): On a point of order, Presiding Officer. My app did not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms McNeill. We will ensure that your vote is recorded.

The First Minister (John Swinney): On a point of order, Presiding Officer. My app would not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Swinney. We will ensure that your vote is recorded.

Katy Clark (West Scotland) (Lab): On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Clark. We will ensure that your vote is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)

Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 46, Against 70, Abstentions 0.

Amendment 109 disagreed to.

Amendment 110 not moved.

Amendment 111 moved—[Martin Whitfield]—and agreed to.

Amendments 112 to 117 not moved.

Amendments 3 and 4 moved—[Miles Briggs]—and agreed to.

Amendments 118 to 120 moved—[Pam Duncan-Glancy]—and agreed to.

Amendment 121 moved—[Ross Greer].

The Deputy Presiding Officer: The question is, that amendment 121 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)

McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O’Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division is: For 89, Against 27, Abstentions 0.

Amendment 121 agreed to.

Amendments 122 to 124 moved—[Ross Greer]—and agreed to.

After section 9

Amendment 125 moved—[Willie Rennie]—and agreed to.

Section 10—The learner charter

The Deputy Presiding Officer: We move to group 7, which is on charters. Amendment 126, in the name of Pam Duncan-Glancy, is grouped with amendments 127 to 130, 130A and 131 to 145.

I draw members’ attention to the following procedural information. If either amendment 129 or amendment 130 is agreed to, I cannot call amendment 131 because of pre-emption. If amendment 136 is agreed to, I cannot call amendment 137 because of pre-emption.

Pam Duncan-Glancy: A charter is not just a leaflet that is handed out at induction; it is a social contract between the qualifications body and the people whom it serves. If that contract is to command respect, the voices of learners, teachers and practitioners must be heard, not after the charter is printed but while it is being written.

Amendments 126, 130, 132 and 133 would put that principle into practice for the learner charter. They would require qualifications Scotland to invite the full list of stakeholders as set out in amendment 130—learners themselves, their parents and carers, those who support additional needs, equalities organisations, skills agencies and more—to co-produce the text. Those bodies must be involved in the development of the charter in order for it to have a living purpose and for it to deliver its functions.

Amendment 130 would create various groups of people who should be engaged. I intend not to move amendment 129 and, instead, to move amendment 130, which—with the support of the Government’s amendment 130A, which I ask members to support—would ensure that care-experienced young people and those from a socioeconomically disadvantaged background are empowered to participate in the charter-making process. Amendment 130A is a manuscript amendment, which the Government lodged to support the success of my amendment 130, and I am grateful to the Government for doing so.

My amendment 128 would do the same for adult learners, because Scotland’s qualifications system must serve the apprentice in their 20s and the career changer in their 40s as faithfully as it serves the 16-year-old in secondary 5.

Amendment 134 would complete the learner charter cycle: if the strategic advisory council suggests revisions, qualifications Scotland must give those proper weight before publication.

The same co-production model is extended to the teacher and practitioner charter. Amendments 135, 136, 138 and 139 would oblige qualifications Scotland to invite classroom teachers, college lecturers, training providers and—critically—education trade unions to take their seats at the table. Amendment 137 underlines the duty to consult unions, subject specialists and college representatives. Amendment 140 mirrors the learner charter safeguard and would require qualifications Scotland to consider any changes that are proposed by the advisory council before the charter goes live.

Amendments 134 and 140 are amendments that I first lodged at stage 2 and have brought back in a slightly different format. I want to give effect, and give teeth, to the charters. The Government asked that I edit the amendments for stage 3 and I have done that, so I hope that it can support those amendments today.

Beyond the two founding charters, amendment 141 would provide that any future charter that is issued by qualifications Scotland must follow the same review and revision procedures that are set out in statute. Amendment 142 is purely consequential. Amendment 143 would require qualifications Scotland, whenever it reviews a charter, to report its findings to the advisory council and to address any revisions that the council proposes. Amendments 144 and 145 confirm that those steps would apply both when a charter is first prepared and whenever it is later revised.

The stage 1 report on the bill reminded us that reform must be done with the profession and learners and not to them. These amendments would make that aspiration a legal obligation. They would guarantee that charters are living documents that are co-owned by the people who rely on them and are refreshed whenever practice or expectation changes.

I invite members to support the entire package of amendments—from 126 to 145—including Mr Whitfield's amendments 127 and 131, so that Scotland's qualifications body can begin its work in partnership with the learners and practitioners whom it exists to serve.

I move amendment 126.

Martin Whitfield: Amendment 127 would require that

"In preparing the learner charter, Qualifications Scotland must have regard to the desirability ... to secure better or further effect of the rights of children."

Again, I return to one of my favourite topics, which is the United Nations Convention on the Rights of the Child and the rights that children have, including the rights to be listened to and to be there when decisions are made.

I welcome the Government working with me on amendment 127. It builds on amendment 259, which I lodged at stage 2. It seeks to ensure that qualifications Scotland takes account of children's rights when creating its learner charter, without—the Government hopes—being overly prescriptive.

18:00

One of the challenges in which we in this Parliament have found ourselves, following the passing of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, is how we encapsulate and talk about that legislation. That will continue with legislation that passes through the Parliament up until the end of this parliamentary session, and the Parliament and the Government need to take that into account.

Amendment 131, which is the second amendment in my name in this group, might fall foul of what is agreed to before it. The amendment seeks to include children and young people when consulting on the learner charter. I am sad to say that some of the other amendments that have been lodged might sink amendment 131. However, they will achieve the same thing but with different language that comes from existing legislation.

I will leave my submission there.

Jenny Gilruth: I welcome many of Ms Duncan-Glancy's amendments in this group.

I indicated at stage 2 that I fully supported Mr Greer and Ms Duncan-Glancy's desire to make absolutely clear in the bill that, as we had always intended, there will be co-production of the charters. I therefore support amendments 126, 130, 132, 133, 135, 136, 138, 139, 142, 144 and 145, which will achieve what I believe that we all want to see here.

I turn to the remaining amendments in the group. Amendment 129 is an alternative to amendment 130. Amendment 130 seeks to expand on the list of participants in amendment 129 to also include those from socioeconomically disadvantaged backgrounds.

My amendment 130A—I am grateful to the Presiding Officer for selecting it as a manuscript amendment—will ensure that we use consistent language across the bill. Taken together, I would be happy to support amendment 130 as it is stronger than amendment 129.

I note that Mr Whitfield has proposed amendment 131, which would clarify that children and young people must be involved in the preparation of the learner charter. I trust that he is satisfied with Ms Duncan-Glancy's amendment 130 instead, which would guarantee that.

Ms Duncan-Glancy's amendment 137 would add specific groups to the list of who must be involved in the participation of the teacher and practitioner charter. I would note that those are already covered under subsection 3A of amendment 136. I believe that adding them in the way that is proposed in amendment 137 would be confusing, as it would suggest that trade unions are not "persons" who "represent the interests" of teachers or college staff.

I would also note that no definition of "trade union" is supplied, unlike elsewhere in the bill. I would therefore ask Ms Duncan-Glancy not to move the amendment, on the basis that her amendment 136 is already sufficient.

I am supportive of Mr Whitfield's amendment 127, which highlights the existing UNCRC duties, in the context of the charter. However, I am not able to support Ms Duncan-Glancy's amendment 128. Under section 10(2), the charter is to be about what people should expect from qualifications Scotland. The amendment would mean that qualifications Scotland must ensure that education meets every adult's individual needs, which is not its role. Schools, colleges and other educational establishments deliver education, not qualifications Scotland.

I would therefore ask Ms Duncan-Glancy not to move amendment 128. I note that adult learners will be part of co-producing the charter, so their voices will be heard. Ms Duncan-Glancy's stage 2 amendment clarified in section 10(2) that the charter is about what each subset of learners—children, young people and adults—can expect, so adult needs will not be overlooked.

I turn to amendments 134 and 140. Those duplicate amendments 130 and 136. Amendments 130 and 136 are better, as they also seek to introduce the element of co-production, which I think is what we all want to see. I ask Ms Duncan-Glancy not to move amendments 134 and 140.

Amendment 143 would require the strategic advisory council to make recommendations on which changes should be made when revising the charter. I am not able to support that, as I believe it is for the co-production process to drive the decisions about what changes should be made when the charters are revised.

Amendment 144 seeks to ensure that the revised charters will be co-produced, with the council giving feedback afterward. That is the right approach.

Ms Duncan-Glancy's amendment 141 seeks to apply the review rules in section 12 to "other charters". As drafted, that could apply to unrelated charters, such as the social security charter. The rules in section 12 are all specific to the learner charter and the teacher and practitioner charter.

On that technical point, it would not work to add other charters here without making further adjustments; otherwise, we would, for example, be requiring the review of any other charter to take place within five years of publication of the learner charter, rather than within five years of its own publication.

However, I reassure Ms Duncan-Glancy that, if other charters are produced under section 13, I would fully expect the review model for the statutory charters to be followed.

The Deputy Presiding Officer (Liam McArthur): I call Pam Duncan-Glancy to wind up and to press or withdraw amendment 126.

Pam Duncan-Glancy: I will not move amendment 129 in this group, but I will move others.

I press amendment 126.

Amendment 126 agreed to.

Amendment 127 moved—[Martin Whitfield]—and agreed to.

Amendment 128 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 128 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Emma Harper (South Scotland) (SNP): On a point of order, Presiding Officer. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Harper. I will make sure that that is recorded.

Kevin Stewart (Aberdeen Central) (SNP): [*Inaudible.*]

The Deputy Presiding Officer: Kevin Stewart has a point of order. Can we switch on Mr Stewart's microphone, please?

Kevin Stewart: On a point of order, Presiding Officer. I would have voted no.

The Deputy Presiding Officer: Thank you. I will make sure that that is recorded.

Nicola Sturgeon (Glasgow Southside) (SNP): On a point of order, Presiding Officer. My app would not connect. I would have voted no.

The Deputy Presiding Officer: I will make sure that that vote is recorded.

The Minister for Higher and Further Education; and Minister for Veterans (Graeme Dey): On a point of order, Presiding Officer. Apologies—my app did not connect, either. I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Dey. I will make sure that that is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)

Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 65, Abstentions 0.

Amendment 128 disagreed to.

The Deputy Presiding Officer: I call amendment 129, in the name of Pam Duncan-Glancy. I remind members that, if amendment 129 is agreed, I cannot call amendment 131 because of pre-emption.

Amendment 129 not moved.

The Deputy Presiding Officer: I call amendment 130, in the name of Pam Duncan-Glancy. I remind members that, if amendment 130 is agreed to, I cannot call amendment 131 because of pre-emption.

Amendment 130 moved—[Pam Duncan-Glancy].

Amendment 130A moved—[Jenny Gilruth]—and agreed to.

The Deputy Presiding Officer: I call Pam Duncan-Glancy to press or withdraw amendment 130, as amended.

Pam Duncan-Glancy: I will press it.

Amendment 130, as amended, agreed to.

The Deputy Presiding Officer: That is agreed, and therefore I cannot call amendment 131—

Jackie Dunbar (Aberdeen Donside) (SNP): On a point of order, Deputy Presiding Officer. I am finding it very difficult to hear what you are saying.

The Deputy Presiding Officer: Thank you, Ms Duncan-Glancy—you are not Ms Duncan-Glancy. [Laughter.] It is not even that late yet. I will try to speak up, Ms Dunbar.

I cannot call amendment 131, which is pre-empted.

Amendments 132 and 133 moved—[Pam Duncan-Glancy]—and agreed to.

Amendment 134 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 134 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gosal, Pam (West Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)

Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)

Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 69, Abstentions 0.

Amendment 134 disagreed to.

Section 11—The teacher and practitioner charter

Amendment 135 moved—[Pam Duncan-Glancy]—and agreed to.

The Deputy Presiding Officer: I remind members that, if amendment 136 is agreed to, I cannot call amendment 137, due to pre-emption.

Amendments 136, 138 and 139 moved—[Pam Duncan-Glancy]—and agreed to.

Amendment 140 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 140 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Christine Grahame (Midlothian South, Tweeddale and Lauderdale) (SNP): On a point of order, Deputy Presiding Officer. I am locked out of both of my devices. I would have voted no.

The Deputy Presiding Officer: I will make sure that that vote is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)

Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 66, Abstentions 0.

Amendment 140 disagreed to.

18:15

Section 12—Reviewing and revising the charters

Amendment 141 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 141 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)

Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast
 by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote
 cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine)
 (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley)
 (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 68, Abstentions 0.

Amendment 141 disagreed to.

Amendment 142 moved—[Pam Duncan-Glancy]—and agreed to.

Amendment 143 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 143 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)

Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 47, Against 68, Abstentions 0.

Amendment 143 disagreed to.

Amendments 144 and 145 moved—[Pam Duncan-Glancy]—and agreed to.

After section 13

Amendment 5 moved—[Miles Briggs]—and agreed to.

Section 14—Corporate plan of Qualifications Scotland

The Deputy Presiding Officer: That takes us to group 8, on the corporate plan of qualifications Scotland. Amendment 146, in the name of Ross Greer, is grouped with amendments 148 to 151. I point out that, if amendment 148 is agreed to, I cannot call amendment 149, due to pre-emption.

Ross Greer: Amendment 146 makes provision for the corporate plan of qualifications Scotland to be approved by a majority vote of the board. The purpose of the amendment is to ensure that every corporate plan is voted on and agreed to by the board before it is submitted to ministers. It reflects the lack of effective engagement by the board of the SQA, which has been a significant weakness of that organisation for a number of years.

I place on record at this point that there has been a dramatic improvement under the current board chair, but Shirley Rogers will not be in post for ever and we need to bake into the bill provisions that will ensure robust governance and scrutiny, regardless of the individuals appointed to the board.

Ensuring that board members will vote on the plan is quite a light-touch requirement, but it would ensure that plans are not nodded through and that board members take individual responsibility to scrutinise what is put in front of them because they have to exercise an individual vote. That is the intention behind amendment 146.

Amendment 150 is consequential to amendment 146. It would ensure that the requirement for the corporate plan to be voted on applies to every corporate plan, including any resubmitted or revised ones, making sure that it does not apply just to the first one.

Amendment 148 would modify section 14(3A) of the bill to make it clear that it refers to such persons who are within the groups that qualifications Scotland consults before preparing a corporate plan, not every single person who falls within those groups. As such, qualifications Scotland would not need to consult every person who is “undertaking” or has “recent experience of undertaking” a qualification. It would not need to speak to every teacher, lecturer or employer in Scotland; it would just need to speak to representative samples thereof. The amendment also includes a bit of tidying up of the language from my stage 2 amendment, given that “relevant qualification” and “relevant teaching or training” are not defined for the purposes of this section.

Amendment 148 pre-empts amendment 149, as the Deputy Presiding Officer has already mentioned, because subsection (3A)(b) would be replaced with new lettering. However, subsection (3A)(d) would remain in the bill, and that covers other groups. I would certainly expect that trade unions would be consulted under the provision. Given the commitments that we have already had on the record from the cabinet secretary about trade union involvement in relation to other provisions in the bill, I am satisfied that they will be consulted as part of the process.

I move amendment 146.

Pam Duncan-Glancy: A corporate plan is the road map that turns legislation into day-to-day practice. If it is to succeed, the people who deliver Scotland's qualifications in classrooms and lecture theatres across the country must help set the course from the very start.

Amendments 149 and 151 would make that expectation explicit. They would require qualifications Scotland, when drafting its corporate plan, to consult the trade unions that represent teaching staff. Those unions bring three indispensable assets: direct experience of how assessment works in real time, a national view of workload and resource pressures, and the trust of the profession whose co-operation the new body will need.

Amendment 148, in the name of Mr Greer, unfortunately pre-empts amendment 149 and would impact the ability of recognised trade unions to be represented in the consultation process. I therefore ask Mr Greer to reconsider moving his amendment 148 in favour of the current wording in the bill and to support my amendment 149 to ensure that trade unions have a voice in shaping the direction that our new qualifications authority takes. Scottish Labour is otherwise happy to support the other amendments in Mr Greer's name—amendments 146 and 150.

The duty that would be imposed by my amendments 149 and 151 is modest, but it matters. Trade union engagement at the planning stage would mean fewer unintended consequences later, and it would help to avoid policies that look efficient on paper but prove unworkable in a busy classroom. The stage 1 report noted that teachers felt reforms were sometimes done to them rather than with them. The amendments would respond to that concern by placing partnership on a statutory footing.

Successful reform depends on consent as well as command. I therefore ask members to support amendments 149 and 151 so that Scotland's new qualifications authority begins work side by side with the teaching professionals on whom it will rely.

Jenny Gilruth: I am supportive of all Mr Greer's amendments in this group and I thank him for bringing them forward to build on the amendments that he proposed at stage 2. However, I am unable to support Ms Duncan-Glancy's amendments in the group. Those amendments build on section 14(3A) of the bill as it stands just now, but they are incompatible with Mr Greer's amendment 148, as we have heard from Ms Duncan-Glancy. If amendment 148 is agreed to, subsection (3A)(b) will be replaced with a new paragraph, so the cross-references in Ms Duncan-Glancy's amendments would no longer apply and the provision would not have any effect.

It is important that Mr Greer's amendment 148 is made to the bill, as it would clarify many points in relation to the consultation duty. First, it would make it clear that qualifications Scotland would not have to consult every single person who meets the eligibility criteria. Secondly, it would remove the language of "relevant qualification" and "relevant teaching or training" from the bill, which is important because those terms are only defined for the purpose of paragraph 3 of schedule 1, so it would otherwise be unclear what that meant.

Therefore, given that a choice has to be made between amendments 148 and 149, I urge members to support amendment 148 for the reasons that I have set out. However, I reassure Ms Duncan-Glancy that Mr Greer's amendment 148 would leave paragraph (d) of subsection (3A) intact. That paragraph requires consultation with

"such other persons as Qualifications Scotland considers appropriate".

Trade union representatives will therefore still be able to be consulted, and I fully expect them to be so as part of the preparations for qualifications Scotland's corporate plans.

Ross Greer: I am afraid that I will have to say to Pam Duncan-Glancy that I will move amendment 148, because the section is in danger of not being workable if we do not make these points of clarification. It would not be workable or practicable to have consultation requirements that include every employer in Scotland, every young person in Scotland, every teacher, every lecturer and so on, and for the reasons that the cabinet secretary has outlined.

Pam Duncan-Glancy: Does Ross Greer also understand that amendment 149 makes it explicit that it is representatives from recognised trade unions that represent the interests of persons mentioned in section 14(3A)? That is very specifically about the subsection, but it is also about giving a voice to recognised trade unions. Otherwise, we would be relying on the goodwill of the organisation to do that. Does he recognise that that would be a problem?

Ross Greer: I am grateful for the intervention and I recognise the concern, but it does not address the issue that I have set out, which is that the language that is in the bill would essentially make the section inoperable unless we clarify it. It is not just about teachers and lecturers, which Pam Duncan-Glancy's amendment 149 would address, because it is about their representatives through their trade unions. We need to clarify that there is not a requirement to consult every single learner and employer in Scotland. For that reason, I will move amendment 149.

We have discussed the role of trade unions in relation to a number of other parts of the bill. We have already had commitments on the regulations for the strategic advisory council. It would certainly be my expectation that teachers and lecturers are consulted through their recognised trade unions. I cannot see any way that that could happen and be effective without the consultation being done through their unions. However, unless we pass amendment 148, it will be something of a moot point, because we will have created an inoperable section of the bill.

The Deputy Presiding Officer: Could you confirm that you are pressing amendment 146?

Ross Greer: I am pressing it—thank you.

The Deputy Presiding Officer: The question is, that amendment 146 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Christine Grahame: On a point of order, Presiding Officer. I would have voted yes but I am unable to connect.

The Deputy Presiding Officer: I will make sure that that is recorded.

Brian Whittle (South Scotland) (Con): On a point of order, Presiding Officer. I am sorry, but I have a bad connection here. I would have voted no.

The Deputy Presiding Officer: I will make sure that that vote is recorded.

Foyso Choudhury: On a point of order, Presiding Officer. I was unable to connect. I would have voted yes.

The Deputy Presiding Officer: I will make sure that that vote is recorded.

Davy Russell (Hamilton, Larkhall and Stonehouse) (Lab): On a point of order, Presiding Officer. I had difficulty connecting there. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Russell. I will make sure that that vote is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)

Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

The Deputy Presiding Officer: The result of the division on amendment 146 is: For 90, Against 27, Abstentions 0.

Amendment 146 agreed to.

Amendment 147 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 147 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)

Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 70, Abstentions 0.

Amendment 147 disagreed to.

18:30

The Deputy Presiding Officer: I remind members that, if amendment 148 is agreed to, I cannot call amendment 149, due to pre-emption.

Amendment 148 moved—[Ross Greer].

The Deputy Presiding Officer: The question is, that amendment 148 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]

Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 96, Against 22, Abstentions 0.

Amendment 148 agreed to.

Amendment 150 moved—[Ross Greer]—and agreed to.

Amendment 151 not moved.

Section 15—Annual report of Qualifications Scotland

The Deputy Presiding Officer: Group 9 is on the laying of reports. Amendment 152, in the name of Pam Duncan-Glancy, is grouped with amendments 153, 160, 47 and 247.

Pam Duncan-Glancy: Transparency must run the length of this reform. If Parliament entrusts bodies with authority over Scotland’s education, Parliament should receive their reports at exactly the same time as ministers do—no earlier and no later. That is the simple purpose of my four amendments in the group.

Amendments 152 and 153 would require qualifications Scotland to lay its annual report before the Scottish Parliament at the same time as it submitted that report to ministers. Amendment 160 would apply the identical standard to the accreditation committee’s annual report, ensuring that Parliament would see without delay how standards were being upheld.

Amendment 247 extends the principle to any report that is produced by the chief inspector of education in Scotland. If a document is important enough for ministers, it is important enough for the legislator that is charged with scrutinising it.

Those provisions would create no extra work and incur no extra cost, as the reports are already going to be written. The amendments would simply draw Parliament into the light, put it on an equal footing with the executive and allow members to question the bodies concerned while the information was fresh.

Unfortunately, I cannot support amendment 47, in the name of Mr Kerr, as I recognise that there are times when it would not be appropriate for an inspection report that is compiled by the chief inspector to be published, owing to potential safeguarding issues that might arise, based on the publication of one specific report.

Timely access to information is the foundation of effective scrutiny. I will therefore move amendment 152 and invite members to support it and amendments 153, 160 and 247.

I move amendment 152.

Stephen Kerr: Amendment 47, to which Pam Duncan-Glancy has just referred, is straightforward, but its implications are anything but trivial. It would require that the chief inspector of education “must” report to the Scottish Parliament, not simply that they “may”. That one-word change—from “may” to “must”—is a deliberate and necessary shift in power and accountability. It would ensure that the chief inspector was directly answerable to the Scottish

people's elected representatives—an issue that is subject to amendments in a later grouping—not merely to ministers or officials and certainly not just to a closed loop of Government insiders. The principle is simple: parliamentary scrutiny must be the norm, not the exception. That is not a procedural footnote; it is a cultural statement. In today's proceedings, we have dwelt on the importance of cultural change, and the change in wording would signal that the new system that we are creating is one in which transparency is built from the start and in which independent oversight means real independence backed by real obligations to report in public and to the Parliament.

Let us recall the reasons why we are here. The Muir report identified serious failings in how Education Scotland and the SQA operated, particularly their lack of visible, independent scrutiny. Professor Muir wrote that there is a clear need for more effective and transparent accountability across national agencies and for Parliament to have a greater role in holding them to account. Amendment 47 answers that call. It would ensure that the chief inspector, who will hold vital responsibilities for school inspections, performance evaluations and, potentially, qualification accreditation—although we just had a vote in which that proposal was defeated—would have to present their findings to the Parliament for open scrutiny. That is how trust is rebuilt in the system.

I also speak in support of amendments 152 and 160, in the name of Pam Duncan-Glancy. The amendments would ensure that both qualifications Scotland and the accreditation board would lay their annual reports before the Scottish Parliament at the same time as they submitted them to Scottish ministers. That provision is important not only for transparency but for equality of information. Too often in recent years, we have seen agency reports drip-fed to the Parliament after ministers have had the opportunity to interpret—or sometimes spin—them for their own purposes. That is not accountability; that is control. If the Parliament is to be taken seriously as the democratic overseer of national education policy, it must be in full and simultaneous possession of the facts. Amendments 152 and 160 reinforce that principle, and I support them.

Accountability is the recurring theme in the amendments that I have lodged or expressed my support for today. We need accountability to Parliament, not to Government. If we are to earn the trust of teachers, parents and learners, we must design a system that reflects the principles of good governance: openness, scrutiny and public reporting. At times, the bill leans too heavily on the idea that ministers know best. However, in education—as in any public services—those who

inspect must be accountable to those who represent the public, not simply those who hold office. Amendment 47 makes that accountability clear, and I urge colleagues across the chamber to support it.

Jenny Gilruth: I am grateful to Ms Duncan-Glancy and Mr Kerr for setting out the purpose of their respective amendments in the group.

I am pleased to support Ms Duncan-Glancy's amendment 247, which requires any report produced by the chief inspector under section 40 to be laid before the Parliament at the same time as they share it with Scottish ministers. That is consistent with changes that were made at stage 2 in respect of sections 38 and 39.

Although I support that approach for the chief inspector, whose office will be independent of ministers, I cannot support Pam Duncan-Glancy's amendments 152 and 153, which similarly require the laying of qualifications Scotland's annual report to the Parliament at the same time, or amendment 160, which similarly requires the laying of the accreditation committee's report to the Parliament at the same time. That is because it is well-established practice for non-departmental public bodies to submit their annual reports to Scottish ministers first, because that is whom NDPBs are ultimately accountable to. Ministers, in turn, will lay the reports before the Parliament. I see no reason to deviate from that process, especially as it is guaranteed that a copy of the report will be laid before the Parliament. Scottish ministers are accountable to the Parliament, and qualifications Scotland will be accountable to Scottish ministers, so it is right that ministers lay the submitted annual reports on the body's behalf.

On Mr Kerr's amendment 47, I will repeat the position that I set out at stage 2. It is difficult to envisage that the Parliament would have the capacity to make use of individual inspection reports on every establishment that is inspected—based on current practice, around 250 a year are expected, and that number that could well change or increase over time, depending on independent decisions that the chief inspector reaches. I contend that it would be far preferable for Parliament to focus on the overall report on the performance of Scottish education, which has already been allowed for.

I would also emphasise that every inspection report will be published, as they are today, so they will be available to the public and to parliamentarians from publication. I believe that the provision enabling the chief inspector to lay inspection reports would be much more proportionate and would be used to ensure that reports of significant or wider interest could be brought to the attention of Parliament.

I therefore urge members not to support those amendments.

The Deputy Presiding Officer: I call Pam Duncan-Glancy to wind up and to press or withdraw amendment 152.

Pam Duncan-Glancy: I have no further comments.

I press amendment 152.

The Deputy Presiding Officer: The question is, that amendment 152 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 69, Abstentions 0.

Amendment 152 disagreed to.

Amendments 153 and 154 not moved.

After section 15

Amendment 156 moved—[Willie Rennie].

The Deputy Presiding Officer: The question is, that amendment 156 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Ewing, Fergus (Inverness and Nairn) (Ind)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)

Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)

Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the division is: For 98, Against 0, Abstentions 21.

Amendment 156 agreed to.

The Deputy Presiding Officer: At this point, I will suspend the meeting briefly for a comfort break. I would be grateful if members were back in the chamber at 5 minutes to 7.

18:43

Meeting suspended.

18:59

On resuming—

The Deputy Presiding Officer: We resume proceedings with group 10, which is on interest committees of qualifications Scotland. Amendment 155, in the name of Ross Greer, is grouped with amendments 255, 275 and 290 to 303.

Ross Greer: Amendment 155 seeks to add a new section to the bill, which would be entitled “Reports of advice to Qualifications Scotland from certain committees”. In effect, it would require qualifications Scotland to prepare and publish reports summarising the advice that had been provided by its interest committees and the accreditation committee, along with its response to that advice. The first report would have to be published within 12 months of the proposed new section coming into force, and each subsequent report would have to be published within 12 months of the previous report, although that would be the minimum threshold. Where necessary, information should be provided more frequently.

The purpose of amendment 155 is to increase accountability and transparency with regard to the advice that is provided by those committees, how that has fed into qualifications Scotland’s decision-making process and what the outcomes are. Rather than making that part of a single annual report, I want to achieve more buy-in from those who have engaged in the process in good faith and want to see on what basis qualifications Scotland has made the decisions that it has made.

Amendments 295 and 303 would require qualifications Scotland to convene meetings between the board and the respective interest committees—for learners and for teachers and practitioners—when that has been reasonably requested by those committees and when

qualifications Scotland thinks that it is appropriate to do so. Those amendments are designed to further empower the committees and to create a direct line of communication and accountability between the committees and the board. The ultimate intention is to prevent senior management within the organisation ever being able to act as a block between the interest committees—which I hope will have full and frank advice to give—and the board of the organisation. We have seen a total disconnect between learner panels and the board of the SQA, and amendments 295 and 303 would create a mechanism by which we can eliminate that by giving the committees that option.

Amendment 297 would ensure that teachers in training are represented on the relevant interest committees. I particularly thank Peter Bain of School Leaders Scotland for suggesting that amendment after SLS made a compelling case for the particular perspective that those who are in teacher training can provide and for the value of ensuring that there is a space for them.

Martin Whitfield: My question is about how we define a teacher in training. We have four-year degree courses and one-year postgraduate courses. There is then a period of training for probationary teachers, which is followed by on-going training as teachers go through the early years of their career. What does the member envisage his amendment covering?

Ross Greer: My intention would be to take as broad a definition as possible, particularly because, as the member has said, individuals can be in teacher training through the one-year postgraduate diploma in education route. We would not want to see a very high turnover of individuals in that role; we would want to give them the opportunity to build up experience and confidence in that setting, and to be able to give their perspective. We would certainly not want to have a hard cut-off date, which would result in a constant turnover of individuals.

I envisage taking a pretty broad approach to the definition of those who are training to be teachers. Parliament can continue to scrutinise that as we move forward and set up the committees, but I was reluctant to define that any more specifically here in case we inadvertently ended up excluding any of the individuals whom we would like to be appointed to perform that role on the interest committee.

I move amendment 155.

Pam Duncan-Glancy: Amendment 255 seeks to supply a bill-wide definition of equal opportunities that mirrors the protected characteristics that are listed in the Equality Act 2010 and adds to the list socioeconomic disadvantage and care experience, which

evidence tells us still shape success in education. The amendment also provides a safeguard to prevent the 2020 exam fiasco from happening again. That definition underpins the remaining amendments in the group.

Independence comes next. At present, every appointment to an interest committee requires ministerial consultation. Amendments 275, 290, 294 and 300 would remove that requirement. Qualifications Scotland should be free to recruit the expertise that it needs without political gatekeeping. Parliament would retain oversight through annual reporting.

I turn to membership. Amendment 296 seeks to establish a dedicated parent and carer interest committee. Parents are a child's first educators and their perspective deserves its own forum.

Amendment 293 seeks to instruct qualifications Scotland to actively pursue equal opportunities in relation to the learner interest committee and to ensure that there are seats on it for young people with care experience, those from socioeconomically disadvantaged backgrounds and those with educational support needs.

In relation to the teacher and practitioner interest committee, amendment 298 clarifies that registered teachers must be classroom teachers and not managers with little front-line contract, and amendment 299 seeks to apply the same equal opportunities duty to that committee.

Amendments 301 and 302 seek to ensure that education trade unions will be consulted whenever their professional insight is relevant, which will, in practice, be most of the time.

I turn to the other amendments in the group. Although Scottish Labour does not accept that accreditation should be placed within qualifications Scotland, I recognise the important role that transparent reporting plays in developing an internal system of governance, so I support Mr Greer's amendment 155.

The measures that are proposed in my amendments in the group will not slow the system but strengthen it, by placing decision makers face to face with the realities of disadvantage, additional needs and front-line teaching. If interest committees are to be more than a tick-box exercise, they must be free from ministerial micromanagement and rich in the diversity of voices that make up Scottish education today. My amendments would achieve exactly that, and I invite members to support them.

Martin Whitfield: My two amendments in the group—amendments 291 and 292—are the result of something that we have seen on a number of occasions. The stage 2 amendment 226, which was agreed to, inserted into schedule 1 a new

subparagraph that requires membership of the qualifications Scotland learner interest committee to include children and young people, regardless of whether they are undertaking or have recent experience of undertaking a qualifications Scotland qualification. The reason for that was that it is important that young people are not just at the table but part of the decision-making process.

Unfortunately, however, during the bill's journey at stage 2, that provision lost its commanding paragraph and it now flies around unaided. With the assistance of the Government and its drafting team, which I thank, I lodged amendments 291 and 292, which will give the provision somewhere to live in the bill and ensure that it survives in the act, if the legislation travels that far.

Jenny Gilruth: I am grateful to members for setting out the purpose of their amendments. I support all of Mr Greer's and Mr Whitfield's amendments in the group, and I thank them for their engagement on those provisions since the conclusion of stage 2.

I support Ms Duncan-Glancy's amendment 293, which will ensure that, when members of the learner interest committee are appointed, regard is had to the desirability of including groups that are typically underrepresented in such forums. I also support her amendments 255, 275, 293 and 299, which will ensure that equal opportunities are encouraged when members are appointed to the two interest committees.

However, I am unable to support Ms Duncan-Glancy's amendments 290, 294 and 300, which would eliminate any requirement for the Scottish ministers to be consulted on the appointment of members to any committees. In that regard, I make it clear that it is only in relation to the two interest committees that are set out in the bill that such a requirement will exist. I believe that it is right that ministers are consulted on the membership of the two interest committees.

The provisions were originally included as a safeguard to ensure that Scottish ministers would have a role in deciding on membership in order to ensure that a range of different voices were represented on the committees and, in effect, to act as an additional control, alongside the provisions in the bill, to ensure that qualifications Scotland makes effective appointments. Given the importance of building trust in the new qualifications organisation and the fact that the interest committees will be an integral part of that, I believe that it is right to have that safeguard. I therefore urge members to resist amendments 290, 294 and 300.

Amendment 296 would add a requirement for qualifications Scotland to establish a parent and carers interest committee. I am unable to support

that, because it has always been the Government's position—and I hope that it is the view of members in the chamber—that restoring trust and accountability directly to learners and teachers will be the absolute priority for qualifications Scotland at the beginning of its tenure. That is why the learner and teacher interest committees should be the initial focus for qualifications Scotland, and it is why those respective committees are in the bill.

In practice, there will be nothing to prevent qualifications Scotland from establishing a parents and carers committee, and it may wish to undertake that once it has embedded the learner and teacher committees. However, I am not of the view that that requirement should be stipulated in the bill.

Pam Duncan-Glancy: The cabinet secretary must recognise that parents and carers also want to advocate for the needs of learners, including children and young people. Having that interest committee would not dilute the fact that there was a learner interest committee and a practitioners interest committee. It would simply give parents and carers an opportunity to influence and have their say in the qualifications body, too.

Jenny Gilruth: I hear the points that the member makes. My point was about the chronology of the establishment of qualifications Scotland. We want that organisation to be resolutely focused on learners and teachers. I am not precluding the establishment of such a committee in the future—as I have set out, there is a way in which that can be done—but what comes first will be important as regards keeping the focus in the initial days resolutely on learners and teachers.

Amendment 298 would restrict membership of the teacher and practitioner interest committee to those who teach, or who have taught, in schools or colleges, aside from one member of qualifications Scotland. I am unable to support amendment 298, because there is a range of other educational environments and establishments where various teacher training providers or practitioners will deliver learning for qualifications Scotland's qualifications—for example, in community settings. It is essential that we do not exclude those practitioners and others from the committee's membership.

I confirm my support for amendments 301 and 302, which would require the teacher and practitioner interest committee to consult teaching trade union representatives in every case in which the committee considers that to be appropriate. I would, of course, expect that to happen in any case, but I thank Ms Duncan-Glancy for her amendments in that respect.

The Deputy Presiding Officer: I call Ross Greer to wind up and to press or withdraw amendment 155.

Ross Greer: I appreciated Martin Whitfield's metaphor about the provisions that had been inserted into the bill by amendment, but which had then been left flying free and needing somewhere to land. When I was explaining the thinking behind my amendment 297, I omitted to say to him that its aim is to ensure that we do not have a high turnover—for example, because individuals on a one-year PGDE course suddenly find that there is a hard cut-off date, just as they have got their feet under the table. I drafted amendment 297 to include not only those who are currently undertaking teacher training but those who have recent experience of doing so, so that we can ensure that we give individuals an opportunity to make a full contribution and that there is a managed transition period—for example, between appointments.

I press amendment 155.

Amendment 155 agreed to.

After section 16

Amendment 157 not moved.

After section 17

Amendment 318 moved—[Jenny Gilruth]—and agreed to.

Section 19—Corporate plan of the Accreditation Committee

Amendments 158 and 159 not moved.

Section 20—Annual report of the Accreditation Committee

Amendment 160 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 160 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowe, Sharon (South Scotland) (Con)

Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)

Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 69, Abstentions 0.

Amendment 160 disagreed to.

Amendment 161 not moved.

19:15

Amendment 162 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 162 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Jackie Baillie (Dumbarton) (Lab): On a point of order, Deputy Presiding Officer. Unfortunately, I could not connect to the digital voting platform. I would have voted yes.

The Deputy Presiding Officer: Thank you, Ms Baillie. I will make sure that that is recorded.

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): On a point of order, Presiding Officer. My app would not connect. I would have voted no.

The Deputy Presiding Officer: Thank you. I will make sure that that vote is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)

Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 47, Against 69, Abstentions 0.

Amendment 162 disagreed to.

Section 21—Scottish Ministers’ power to direct the Accreditation Committee

The Deputy Presiding Officer: I remind members that, if amendment 163 is agreed to, I cannot call amendment 164, due to pre-emption.

Amendment 163 not moved.

Amendment 164 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 164 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Richard Leonard (Central Scotland) (Lab): On a point of order, Deputy Presiding Officer. My app would not work. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Leonard. I will make sure that that vote is recorded.

Liz Smith (Mid Scotland and Fife) (Con): On a point of order, Deputy Presiding Officer. It was the same for me, and I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Smith. I will make sure that that vote is recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)

Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)

Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 22, Against 96, Abstentions 0.

Amendment 164 disagreed to.

Section 25—Publication of documents

Amendments 165 to 167 moved—[Pam Duncan-Glancy]—and agreed to.

Amendment 168 not moved.

After section 25

Amendment 169 moved—[Willie Rennie].

The Deputy Presiding Officer: The question is, that amendment 169 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Richard Leonard: On a point of order, Presiding Officer. Sorry—my app would not connect. I would have abstained.

The Deputy Presiding Officer: Thank you, Mr Leonard. I will make sure that that vote is recorded.

Bill Kidd (Glasgow Anniesland) (SNP): On a point of order—

The Deputy Presiding Officer: I can advise Bill Kidd that his vote has been recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)

Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Doney, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)

Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Abstentions

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the vote on amendment 169, in the name of Willie Rennie, is: For 96, Against 0, Abstentions 22.

Amendment 169 agreed to.

Section 25A—Review of accreditation function

Amendments 170 to 174 moved—[Willie Rennie].

The Deputy Presiding Officer: Does any member object to a single question being put on amendments 170 to 174?

Members: No.

The Deputy Presiding Officer: The question is, that amendments 170 to 174 be agreed to. Are we all agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is now closed.

Brian Whittle: On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Whittle. I will make sure that that vote is recorded.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)

Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the vote on amendments 170 to 174, in the name of Willie Rennie, is: For 96, Against 22, Abstentions 0.

Amendments 170 to 174 agreed to.

Amendments 175 to 178 moved—[Willie Rennie].

The Deputy Presiding Officer: Does any member object to a single question being put on amendments 175 to 178?

Members: No.

The Deputy Presiding Officer: The question is, that amendments 175 to 178 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

For

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)

Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]

Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

Against

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

The Deputy Presiding Officer: The result of the vote on amendments 175 to 178, in the name of Willie Rennie, is: For 96, Against 22, Abstentions 0.

Amendments 175 to 178 agreed to.

The Deputy Presiding Officer: I call amendment 179, in the name of Pam Duncan-Glancy, already debated with amendment 98. Pam Duncan-Glancy to move or not move.

Pam Duncan-Glancy: This amendment relates to the amendment that the cabinet secretary inserted at stage 2 by accident and that she undertook to remove at stage 3, so I move amendment 179 to do that on her behalf.

Amendment 179 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 179 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O'Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Balfour, Jeremy (Lothian) (Con)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)

Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and
 Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire)
 (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherghlen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)
 Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast
 by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote
 cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine)
 (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)

Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley)
 (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 22, Against 95, Abstentions 0.

Amendment 179 disagreed to.

After section 25A

The Deputy Presiding Officer: We move to group 11, which is on curriculum Scotland. Amendment 6, in the name of Pam Duncan-Glancy, is grouped with amendments 7, 180 to 192, 250, 74, 254, 256, 262 to 264 and 312.

I point out that if amendment 251, which was previously debated in group 2, on accreditation and quality assurance of qualifications, is agreed to, I cannot call amendment 254 due to pre-emption.

Pam Duncan-Glancy: Colleagues will recall that every review that has been placed before us—the Organisation for Economic Co-operation and Development study, Professor Muir’s report and our stage 1 evidence in committee—made the same diagnosis of the problem that we face in Scotland’s education system. Curriculum accreditation and improvement are spread across too many bodies that do not always speak to one other, and are incoherent.

My amendments in the group propose a remedy to that—curriculum Scotland, a single arm’s-length organisation that would steer what is taught, guarantee the standard of certificates that flow from that teaching and drive the continuous improvement of both. Amendments 6 and 7 aim to establish the body, and amendments 180 to 192, 250, 254, 256, 262 to 264 and 312 would give it its powers and governance and reporting duties.

Curriculum Scotland would develop the national curriculum, ensuring that what a child learns in primary school links coherently to the knowledge and skills that they are interested in and will need in secondary school and in the workplace. It would accredit and regulate qualifications, separating those functions from the awarding body while keeping them alongside the curriculum experts who understand what is taught in classrooms.

This is a key opportunity for Parliament to set up a curriculum body and deliver on what those studies and experts suggested, and to pull

accreditation out of the qualifications body, which, as we have already debated, needs to happen. Reporting annually to Parliament would be another duty of curriculum Scotland. It would report on standards, coherence and cost, which would give the Parliament the transparency that it has requested at every stage of scrutiny. Funding and reporting routes mirror those already approved for qualifications Scotland and the chief inspector, giving Parliament an annual set of plans, performance and spending.

As we have heard, some members have suggested that we should leave accreditation where it is for now and ask ministers instead to conduct another review. I do not share that view, as members know. I will not reiterate it, but members have another opportunity to reject a further review. There is no substitute for decisive action by moving the accreditation function from the qualifications body. Placing it in curriculum Scotland would achieve independence. A review merely promises to think about independence another time. Learners who will sit exams next year deserve certainty now.

Colleagues might ask whether that would add cost, but it would not. I have heard members across the chamber talk about the setting up of a body. Curriculum Scotland would be built on the resources that currently sit in Education Scotland's curriculum directorate and in the existing accreditation team. Those staff would move over, and the budget would move with them.

19:30

If the opportunity had been presented to address some of the concerns that members and experts have about Education Scotland's functions through the bill, we could have looked at doing that. However, because of the bill's scope—and, I am told, because what is proposed is an extension of Government rather than an independent body that would develop the curriculum, as it should be—that was not possible. That is why my proposals are to set up curriculum Scotland.

Finally, members might ask, "Why legislate for this now?" The evidence is already before us. The OECD concluded that curriculum for excellence lacked a clear national steward; Professor Muir recommended an agency with precisely those functions; and the committee endorsed that direction of travel. The amendments give effect to that consensus.

Miles Briggs *rose*—

Pam Duncan-Glancy: I am happy to take the intervention.

Miles Briggs: [*Inaudible.*]

The Deputy Presiding Officer (Annabelle Ewing): Could we have Mr Briggs's microphone?

Miles Briggs: My card was not in the console—a schoolboy error.

Members: Oh!

Miles Briggs: It has been a long day.

I admire what the member has tried to achieve, but does she not accept that a stand-alone bill would be needed to set up a new organisation? We cannot add it on to this bill. That is why we cannot support the amendments.

Pam Duncan-Glancy: I have been assured by others that all the functions and associated aspects of setting up the organisation are included, such as moving staff as and where necessary, and ensuring that trade unions are absolutely front and centre; moving finances; and creating committees on organisational capacity and governance to make sure that all the reporting functions that we have discussed for the other bodies in the bill and elsewhere are part of that.

This is not the neatest opportunity to do that, but it is the only opportunity that we have. The Government did not do that in its reform bill, and it did not give effect to that part of the recommendations. As a result, we know that the Government had little answer to the question on independent scrutiny of qualifications.

It is not a neat solution, but it is a solution—and it is one of three solutions that I have offered to Parliament today. I would like to have the member's support for that, and I hope that he can see it in himself to support the other opportunities that our amendments present.

Parliament can either commission another study of a problem that everyone already recognises or it can solve that problem tonight by supporting amendments in my name that give effect to some of the other aspects of education reform that the Government has not sought to address, and deliver independence of scrutiny for the accreditation and regulation of qualifications.

I move amendment 6, and invite members to support the full package of amendments in my name.

Stephen Kerr: I am sorry to disappoint Pam Duncan-Glancy, but I rise to speak against her amendments. Although I understand fully what her intentions are, I do not think that her approach is the right way to go about creating yet another public body in Scotland.

I have every sympathy for where Pam Duncan-Glancy is coming from in relation to Education Scotland, because I am one of many people in the chamber who question the value of everything that

Education Scotland is supposed to be doing but that it is not doing.

I want to acknowledge the sincerity of the intention behind the proposals. The idea of bringing coherence, purpose and greater accountability to curriculum governance are all worthy things; I share those goals. However, creating an additional statutory body is not the right solution.

As Pam Duncan-Glancy alludes to, we have been warned repeatedly by credible independent voices that the landscape of national agencies in Scottish education is already too cluttered, too confusing and too inefficient. Professor Ken Muir issued a stark warning in his report. He said:

“Scotland has a high number of national bodies with specific interests in components of the education system. Where comparable nations may have only one or two organisations, Scotland has many more with what are perceived to be overlapping roles and responsibilities. Students, parents and carers sometimes also perceive the current qualifications environment as being cluttered, with competing qualifications and organisations across multiple levels.”

We must take Professor Muir’s report at face value; we must take his warning seriously.

More bodies would probably mean more complexity, more risk of duplication, confusion and more bureaucracy. Interestingly, the OECD, in its 2021 report on “Scotland’s Curriculum for Excellence”, said that the landscape in Scottish education is highly complex and at times lacking in clarity and coherence. It also warned that creating new institutions risked compounding the complexity unless roles are very clearly articulated and co-ordinated.

Although I understand the motives for lodging the amendments and applaud the intention behind them, I suggest that the creation of such a body at stage 3 of a bill would not be particularly sound. The proposal should have been put forward long ago, and we could then have considered it properly and appropriately.

Jenny Gilruth: I thank Ms Duncan-Glancy for explaining the purpose of her amendments. My decision to refocus Education Scotland, which I announced to Parliament via a Government-initiated question in June last year, was a fundamental step in realising our shared ambitions for education reform. As members will know, the curriculum improvement cycle is under way, and Education Scotland is successfully leading that work with the teaching profession.

In considering these amendments, I have given thought to the principle of legislating only when necessary, and I ask members to keep that at the forefront of their minds when voting on them. Ms Duncan-Glancy’s amendments would establish a

new body corporate called curriculum Scotland; set out its functions, which, as discussed in group 2, would include accreditation and regulation; and require the transfer of Education Scotland’s staff and property to it.

Although I appreciate the intention behind the amendments, I cannot support them. I do not believe that there are sufficient advantages to establishing a new stand-alone curriculum body in legislation—with the expense that that would incur—when we already have a national education agency that is being refocused on curriculum improvement and supporting implementation across the system.

The Deputy Presiding Officer: I call Pam Duncan-Glancy to wind up and to press or withdraw amendment 6.

Pam Duncan-Glancy: I understand the sentiments of members across the chamber, but I stress that I have not taken the decision to lodge these amendments lightly at all.

We on the Labour benches understand the implications of suggesting that another body should be set up. However, I remind members that I am making the proposal not simply because we think that another body should be set up, but because the existing body could be reformed in such a way that would give it independence from Government, which Ken Muir suggested would be appropriate for the body that leads the curriculum in Scotland. In so doing, we could move staffing resources to a body that had independence from Government to enable it to deliver the curriculum that young people across Scotland need, while at the same time providing an opportunity to find somewhere for the accreditation function to sit, still within the education landscape but outwith the qualifications body.

At stage 2, and throughout the debate, the cabinet secretary herself has said a few times that if she had the money, she might have wanted to create another body. However, I do not think that money is a reason to reject completely the importance of doing so, and the potential benefit that it could bring.

I reassure members that, although I will press amendment 6 as the lead amendment, if it is not agreed to, I will not move all the other amendments, so I will not keep us in the chamber all night discussing each and every amendment on curriculum Scotland. I remind members that there will be two other options for accreditation that we will consider at a further point in our discussions. On that note, I press amendment 6.

The Deputy Presiding Officer: The question is, that amendment 6 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Bibby, Neil (West Scotland) (Lab)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Marra, Michael (North East Scotland) (Lab)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 O’Kane, Paul (West Scotland) (Lab)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Smyth, Colin (South Scotland) (Lab)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Briggs, Miles (Lothian) (Con)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dorman, James (Glasgow Cathcart) (SNP)
 Dowey, Sharon (South Scotland) (Con)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Eagle, Tim (Highlands and Islands) (Con)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Golden, Maurice (North East Scotland) (Con)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hoy, Craig (South Scotland) (Con)

Hyslop, Fiona (Linlithgow) (SNP)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 Lumsden, Douglas (North East Scotland) (Con)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ross, Douglas (Highlands and Islands) (Con)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Simpson, Graham (Central Scotland) (Con)
 Slater, Lorna (Lothian) (Green)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Whittle, Brian (South Scotland) (Con)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 22, Against 94, Abstentions 0.

Amendment 6 disagreed to.

Amendments 7 to 10 and 180 to 192 not moved.

Amendment 193 moved—[Douglas Ross].

The Deputy Presiding Officer: The question is, that amendment 193 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Pam Duncan-Glancy: On a point of order, Deputy Presiding Officer. My app did not look like it had refreshed. It says that I did not vote but I think that I did, and I voted yes.

The Deputy Presiding Officer: Thank you, your vote will be recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)

Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 69, Abstentions 0.

Amendment 193 disagreed to.

Amendments 194 to 196 not moved.

19:45

Section 27—Deputy Chief Inspector of Education in Scotland

The Deputy Presiding Officer: Group 12 is on independence of the chief inspector. Amendment 11, in the name of Stephen Kerr, is grouped with amendments 12, 13, 198, 14 to 16, 20 to 23, 31 to 34, 36, 43, 44, 49, 50, 54 to 73, 89, 90 and 93 to 95.

I draw members' attention to the procedural information on the amendments: amendment 13 pre-empts amendment 198; amendment 20 pre-empts amendment 201 in group 14; amendment 23 pre-empts amendment 24 in group 14; amendment 23 pre-empts amendment 25 in group 13; amendment 23 pre-empts amendment 26 in group 14; amendment 32 pre-empts amendment 205 in group 15; amendment 36 is pre-empted by amendment 229 in group 14; amendment 43 pre-empts amendment 239 in group 16; and amendment 43 pre-empts amendment 240 in group 16.

I call Stephen Kerr to move amendment 11 and speak to all amendments in the group.

Stephen Kerr: This group contains more than 40 amendments. I will not take the chamber through each of them line by line—I can sense how disappointed members are; perhaps I will change my mind if they are so disappointed—but it is essential to set out clearly the principles that underpin them.

The amendments go to the heart of one of the most important issues in Scottish education and in the bill, namely the independence of the chief inspector of education. At stage 2, my colleague Sue Webber rightly brought forward many similar amendments. I am bringing them back at stage 3 because the cause of genuine accountability, rigorous scrutiny and institutional integrity demands nothing less. The issue is not administrative housekeeping but a matter of democratic integrity. The amendments go to the heart of the constitutional architecture that underpins trust, scrutiny and accountability in public life.

Although I will not read out the number of each of the amendments, I will speak to the cohesive vision that they are intended to deliver.

We are all aware of the need for a cultural transformation in Scottish education, but cultural change needs structural support. No structure matters more than the one that is charged with shining a light on how our schools are performing.

Let me be clear: in no mature parliamentary democracy should the executive be able to direct, suppress or amend the findings of its own inspectorate. That is not scrutiny; it is subordination. It is not accountability; it is capture.

I quote the Muir report once again. It says that a new inspectorate body must be independent of Government and be able to evaluate performance across the education system without political interference. Credibility, integrity and trust are dependent on such independence. That is what Ken Muir wrote in his report. It is not a nice-to-have; it is a constitutional necessity. The chief inspector must not be a creature of the Government. The office must be immune from ministerial direction and clearly accountable to Parliament, not to ministers. The independence of the inspectorate is not an optional extra; it is a constitutional necessity. We do not allow ministers to edit Audit Scotland's findings. We do not permit them to dictate the conclusions of the Scottish Information Commissioner, and we must not let them control the chief inspector of education. The role must be recast as an independent statutory office-holder, reporting directly to Parliament and protected from political interference.

The bill as introduced contains a fatal flaw. Although it creates a new chief inspector, it retains too many mechanisms of ministerial control, such as powers over appointment, remit, publication and referral, and even the ability to grant or deny entry into a home during inspection, and the public has noticed. In recent years, inspection reports have been sanitised, delayed or quietly buried. Teachers know that, and parents suspect it.

Everyone understands that the inspectorate has become too close to Government, too cautious and too curated. After Covid-19, when robust independence scrutiny was most needed, it was conspicuously absent. Reports minimised the scale of learning loss and downplayed the extent of behavioural decline. That is not what the public expects of independent evaluation. When scrutiny becomes service and challenge becomes choreography, we all lose.

This suite of amendments delivers the clarity and constitutional strength that we require.

The First Minister: Will Mr Kerr provide Parliament with evidence to substantiate his comments?

Stephen Kerr: I am very happy to do so in the form of a very simple fact, which is that many of our schools were not even inspected—some have not been for more than a decade.

This is about creating an independent inspectorate that is prepared to take on the difficult and challenging task of speaking truth to power. Amendments 11 to 16 and 90, 93 and 94 would

transfer key powers of appointment and oversight from ministers to the parliamentary corporation, ensuring that the chief inspector is not beholden to Government patronage. That is consistent with the principles applied to other independent office-holders, such as the Auditor General.

Amendment 89 would remove the legal ambiguity that renders the inspector's independence meaningless. The subsection that states that the role is

"subject to any contrary provision in this or any other enactment"

is a loophole large enough to drive a ministerial motorcade through, and it must go. That subsection undermines the entire purpose of statutory independence. By removing it, we would establish that independence is not conditional; it is foundational.

Amendments 20 and 23 would eliminate residual clauses that allow ministerial direction of how the chief inspector carries out their functions. Some would ask, "Should ministers not have any role?" The answer is clearly that yes, they should; however, that role must be defined as influence, not control.

Amendment 21 would preserve the ability of ministers to request inspections when concerns are raised, but leave the decision where it belongs—with the independent judgment of the chief inspector. That is the balance that we need. Amendment 21 recognises that Scottish ministers may receive serious concerns about specific schools and it would allow them to request an inspection, but, critically, it would not oblige the chief inspector to act on such a request. That balance is important. Ministers may raise the alarm, but only the chief inspector should decide whether to act. That would keep the operational judgment where it belongs—independent of political interference.

Amendment 31 would remove the bill's definition of "excepted establishment", which currently excludes colleges and teacher training institutions from inspection. That exclusion makes no sense if we are to adopt a coherent system of oversight across all parts of our education system.

Amendment 32 would remove the power of Scottish ministers to modify definitions of what the chief inspector may inspect. Those powers, if left in, would allow ministers to quietly limit or expand the inspector's remit at will. That is a recipe for opaque policy making, not transparent accountability. Ministers may think, "This doesn't apply to us; we wouldn't behave in such an unseemly way", but we are creating legislation that is supposed to last, to stand the test of time, and to stand the changes of Government that, inevitably, are coming our way.

Amendments 33 and 34 would make it clear that the chief inspector reports to a committee of the Scottish Parliament with education in its remit. That is essential. Parliament, not ministers, must be the ultimate recipient of inspection findings. Amendment 36 would enhance the chief inspector's inspection plan by requiring that it sets out the frequency of inspections across all relevant educational settings, creating certainty and transparency.

Several amendments—amendments 43, 44, 49, 50, and 54 to 57—would remove requirements for reports, plans or actions to be submitted to or approved by the Scottish ministers. For example, amendments 55 and 56 would remove the need to obtain ministerial permission before entering dwellings during inspections, as I referenced earlier. Amendment 57 would delete section 46, which allows referrals to ministers for "necessary improvements"—those are the words—which, again, is a function that should be independent.

Amendment 58 sets out clearly when the chief inspector may issue reports identifying that action is required by a school or authority, triggering a statutory requirement for follow-up. Amendment 63 defines relevant persons for those actions as the education authority or managers of the grant-aided school. That legal clarity would ensure that accountability is always directed to the correct party, not to ministers.

The OECD report that I have referenced a few times this afternoon, which was commissioned by the Scottish Government itself, delivered a sobering verdict. On page 126, the OECD concluded:

"The Inspectorate is currently part of Education Scotland. The need for greater assurance that national aspirations were being delivered for all children and young people was clearly evident in discussions with the OECD review team."

It also said that Scotland should

"develop strategic distance from other organisations and agencies supporting schools that gives stakeholders, the public and the political system confidence in its independence and rigour."

It went further, saying:

"As a national agency, an Inspectorate is a key policy tool for consistency and comparability across federated or devolved systems."

It went on to report that other countries—Ireland, the Netherlands and New Zealand—have endowed their inspectorates with "statutory independence". Scotland must do the same, and half measures will not suffice.

We need to be honest in our conversations. I am sure that many of us meet regularly with teachers, and too many teachers have lost faith in the system because they feel that inspection is too cosy with Government and too far removed from

professional realities. My amendments in the group are not about punishing ministers; they are about building confidence. They are about making sure that scrutiny is real, not symbolic. They are about ensuring that, if something is going wrong in a school, the chief inspector can say so without fear or favour and without asking for permission.

To leave the bill unamended is to leave ambiguity in place, and ambiguity is where complacency takes root. The lesson of Education Scotland is that proximity to power blunts scrutiny. We must not repeat the mistake. The amendments in this group do not weaken democracy; they seek to strengthen it. They uphold the principle that, although ministers govern, it is Parliament that scrutinises, and the chief inspector must be an instrument of that scrutiny and not a subordinate arm of Government.

Trust in public institutions begins with how they are structured. The amendments would bring structure, independence and clarity to a role that has been for far too long clouded by compromise. We cannot legislate for trust, but we can legislate for independence, integrity and scrutiny that answers not to ministers but to the Scottish Parliament.

I ask members to support my amendments in the group. Let us make inspection in Scotland not only credible but constitutionally sound. I urge members from across the chamber to support the full package of amendments and, in doing so, to affirm that independence is not optional; it is essential.

I move amendment 11.

Pam Duncan-Glancy: For an inspectorate to command confidence, it must be not only independent in law but adequately resourced in practice. Amendment 198 would secure that practical independence.

At present, the bill leaves the total number of inspectors wholly at the discretion of ministers. Amendment 198 would require ministers, when deciding on that number, to do two things. First, they would have to consult the chief inspector. Secondly, they would have to take account of the workload that is set out in the chief inspector's annual inspection plan. That would mean that staffing follows need, not convenience.

The principle mirrors the evidence that we heard at stage 1 and in Professor Muir's review. If an inspectorate is to provide rigorous assurance and credible improvement advice, it must have capacity aligned to its programme of work, rather than a head count that is fixed in advance. The duty that amendment 198 would create is modest. It would oblige ministers to listen and consider, not to rubber stamp, but it would be a safeguard. It would prevent a scenario in which the

inspectorate's statutory plan says one thing while its people power, which is set elsewhere, makes delivering that plan impossible.

There are a number of amendments in the group in the name of Mr Kerr, and my colleague Martin Whitfield will speak further to those. For various reasons, we are unable to support all of them, but we can support Mr Kerr's amendment 21.

Credibility absolutely depends on capability. Amendment 198 would not allow the chief inspector to decide alone how many staff they need. It would allow the chief inspector to influence the Government's direction on that, and that is crucial, so that the inspectorate can do its job backed up with the resources that are required to do it properly.

Martin Whitfield: It is a pleasure to speak in this group. To echo Mr Kerr's earlier contribution, I am profoundly disappointed that I will be unable to support most of his amendments in the group. He has talked about the profound importance of the bill and of education to the future of Scotland and its people. This is a seminal moment, certainly in this session of Parliament, with regard to an education bill.

Mr Kerr has talked about the separation of powers, which is where I am challenged by the amendments that he has lodged. To group them, there is a set that wishes to involve the Scottish Parliamentary Corporate Body and a set that wishes to bestow responsibilities on a committee of the Parliament.

With the greatest respect to Mr Kerr, who has lodged the amendments, I think that we need to take the separation of power one step higher. I pose no challenge to the point about the independence of various inspectors, departments and organisations in the education sector, but I question the route that he proposes to take to achieve their independence.

20:00

I go back to 1748 and the prescient words of Montesquieu. He said:

"When the legislative and executive powers are united in the same person, or in the same body ... there can be no liberty."

He continued:

"there is no liberty"

if the powers of the judiciary are not

"separated from the legislative and executive ... There would be an end of everything, were the same man or the same body ... to exercise those three powers".

Although I would question the gendered wording of a quote from so long ago, if we bring the

responsibility to govern and oversee into the legislature, we would fundamentally challenge the purpose of the Parliament. I am deeply afraid that Mr Kerr's amendments go too far by placing the responsibility on the Parliament's committees. The member has spoken on a number of occasions about committees' obligations to oversee, review and hold the Government to account. If we are going to do that in the Parliament, the Parliament is not the place to govern elements of education; it is the place to hold the executive to account for its responsibility to the people of Scotland and to Scotland's young people in particular to have an education system that is fit for the purpose for which it is intended, which is to give us all a better future.

Jenny Gilruth: At stage 2, I set out that the model for the chief inspector, as provided for in the bill, follows previous successful models for other HM inspectorates in Scotland. Mr Kerr's amendments 11 to 16, 33, 34, 90, 93, 94, 49, 50, 54 and 89 seek to replace that model with one in which ministers have no role and the chief inspector is, instead, supported by the Scottish Parliamentary Corporate Body.

In opposing that approach, I am mindful of the Finance and Public Administration Committee's recommendation regarding the need for a moratorium on SPCB-supported bodies. The position has been powerfully reinforced by the SPCB Supported Bodies Landscape Review Committee's report, which was published just last week. In addition, Mr Kerr's proposed model would not allow HM inspectors of education to continue to be civil servants, which was one of Professor Ken Muir's key recommendations, as the model that is proposed in the bill would do. Transferring staff out of the civil service would have significant implications, including for the terms and conditions of their employment. Therefore, I cannot support the amendments.

I turn to Mr Kerr's other amendments in the group. As members will be aware, ministers have statutory duties that they must fulfil relating to education, including the duty to endeavour to secure improvements in the quality of school education. I believe that many of Mr Kerr's amendments are inappropriate, as they would prevent, or significantly hinder, the ability of ministers to fulfil those duties. I urge members to resist Mr Kerr's amendments 20 and 21, on the ability of ministers to secure inspections, amendments 43 and 44, on the inspection plan, amendments 57 to 73, on removing the role of ministers in enforcement directions, amendment 95, which would remove the ministerial power to appoint someone to deputise for the chief inspector, and amendment 23, on the ministerial power to specify the frequency of inspection.

Mr Kerr's amendments 31, 32 and 36 would remove the definition of "excepted establishment" from the bill. As we rehearsed at stage 2, that would be problematic because, taken together, those amendments would routinely bring post-16 further education colleges and the higher education institutions that deliver accredited initial teacher education into the scope of the chief inspector's duty to secure inspection. That would cause potential duplication and confusion, because it would cut across the statutory roles of the SFC and the General Teaching Council for Scotland. Therefore, I encourage members to resist those amendments.

On Mr Kerr's amendments 55 and 56, on the powers of entry and inspection, I understand that his intention is to remove ministerial influence on the inspectorate. He would also, no doubt inadvertently, be removing a safeguard that applies before an inspector may enter a person's private dwelling. I strongly encourage members to resist those amendments.

Ms Duncan-Glancy's amendment 198 seeks to restrict the ability of ministers to determine the number of inspectors that are to be appointed. It does so, however, in a way that would introduce ambiguity. For example, it is unclear what the formulation of "in consultation with" means, rather than the more usual phrase, "following consultation with". Her amendment might be taken to suggest that agreement from both would be required.

Furthermore, the recruitment of inspectors would be linked to what is set out in the inspection plan. That would prevent the recruitment of inspectors from taking place in advance of a new inspection plan being agreed, even when a draft plan had received unanimous support. I am sure that members will agree that that would not be a desirable outcome and it is important that ministers should be able to respond to the staffing needs of the inspectorate. On that basis, I cannot support amendment 198 and I would ask members to reject it.

The Deputy Presiding Officer: I call Stephen Kerr to wind up and to press or withdraw amendment 11.

Stephen Kerr: First, I am grateful to all who have contributed to the debate on this group. I was particularly impressed that so many SNP MSPs were listening to my final comments in my opening speech. There must have been a triggering word in there somewhere—I will have to try and find out what it was.

I struggle with the idea that, somehow, I would be creating some kind of anomalous role because, at the end of the day, the Auditor General and Audit Scotland act independently across a

widespread range of different activities that involve public funds, with the Auditor General regularly appearing before the Public Audit Committee. I struggle to understand why, in his role of helping us as parliamentarians to scrutinise the work of the Government, the chief inspector of education would be any different in that respect.

We will come on to discuss reports in a future group, but the chief inspector would be providing this Parliament with information that would allow us to carry out fuller and deeper scrutiny of the very things that the cabinet secretary says that my amendments seek to hinder. Those things are ministers' responsibilities—I acknowledge that they rest on the shoulders of ministers—in the discharge of their duties with regard to the education system, and the performance of education in Scotland. That is why I struggle with that idea.

I seek to press amendment 11, but I give advance notice that, if that is unsuccessful, I will not be pressing any of the other amendments in the group.

The Deputy Presiding Officer: The question is, that amendment 11 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

The Minister for Parliamentary Business (Jamie Hepburn): On a point of order, Deputy Presiding Officer. I am afraid that I cannot tell whether my vote has gone through, but I would have voted no.

The Deputy Presiding Officer: Thank you, Mr Hepburn. Your vote was, in fact, recorded.

Craig Hoy (South Scotland) (Con): On a point of order, Deputy Presiding Officer. My app is frozen. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Hoy. Your vote will be recorded.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)

Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)

McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O’Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 28, Against 90, Abstentions 0.

Amendment 11 disagreed to.

After section 27

Amendment 197 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 197 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)

Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)

Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 48, Against 68, Abstentions 0.

Amendment 197 disagreed to.

Section 28—His Majesty's Inspectors of Education in Scotland

Amendments 12 and 13 not moved.

Amendment 198 moved—[Pam Duncan-Glancy].

The Deputy Presiding Officer: The question is, that amendment 198 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division.

The vote is closed.

Brian Whittle: On a point of order, Presiding Officer. My app would not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Whittle. Your vote will be recorded.

Nicola Sturgeon: On a point of order, Presiding Officer. My app would not connect. I would have voted no.

The Deputy Presiding Officer: Thank you, Ms Sturgeon. Your vote will be recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowe, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)

Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 68, Abstentions 0.

Amendment 198 disagreed to.

Amendment 14 not moved.

Section 29—Assistance with inspections

Amendments 15 and 16 not moved.

After section 29

Amendments 199 and 200 not moved.

Before section 30

The Deputy Presiding Officer: Group 13 is on purpose of inspection. Amendment 17, in the name of the cabinet secretary, is grouped with amendments 18, 25, 45 and 80. I point out that if amendment 23 is agreed to, I cannot call amendment 25 due to pre-emption.

20:15

Jenny Gilruth: I welcome the agreement, including in the committee's stage 1 report, that the purpose of inspection should be set out in the bill. In the interests of building consensus, I agreed at stage 2 not to press my amendments and to work with other members in advance of stage 3 to develop a shared purpose for inspection with the broadest possible support. I am therefore very pleased that, working in particular with Ms Duncan-Glancy, we have been able to lodge amendment 17 in my name, along with amendments 25 and 80, which are consequential to it. I thank Ms Duncan-Glancy and the staff in her office, who helped to facilitate that.

Critically, amendment 17 acknowledges the purpose of providing assurance to the public about the quality of education that is being provided in our educational establishments. It also addresses a concern that the Educational Institute of Scotland raised at stage 2 that the purpose of inspection should include holding institutions, not individual teachers, to account, which is made clear in amendment 17.

I therefore urge members to support amendments 17, 25 and 80.

My concerns about Mr Kerr's amendments 18 and 45, which he has brought back following stage 2, are that they remain overly prescriptive. Including amendments of such a nature in legislation would make it difficult for the new chief inspector to develop their role organically and, importantly, would limit their ability to respond to the changing needs of our education system over time.

As I noted at stage 2 in response to Mr Kerr's amendments, I believe that it is significant that, when Professor Muir gave evidence to the committee, he expressed concern that the inspectorate could become dominated by reporting, which is a risk that I believe amendments 18 and 45 would exacerbate.

Professor Donaldson also highlighted the risk to the chief inspector's flexibility of being overly focused on the reporting role.

Amendments 18 and 45 would prevent thematic inspections from being possible, because every matter that is listed in amendment 18 would require to be covered in each inspection and inspection report.

If agreed to, amendments 18 and 45 would risk hindering the chief inspector's flexibility and weakening the independence of inspection and reporting in our education system. I urge Mr Kerr not to move these amendments. If they are moved, I ask members not to support them.

I move amendment 17.

Stephen Kerr: Amendments 18 and 45 seek to reshape the purpose of school inspections in Scotland, in order to ensure that underlying issues in schools are identified and worrying trends are not ignored. I take cognisance of what the cabinet secretary has said about overburdening the inspectorate with reporting, but I believe that I need to take the time—for which I apologise—to make the case for why those issues require to be called out and appear in the bill as areas for inspection.

Amendments 18 and 45 do not create unnecessary bureaucracy or abstraction, but rather root the process in the realities of modern Scottish education. The amendments outline key areas for mandatory assessment that reflect the experience of staff, pupils and parents. Each element is proposed not as a technicality, but as an educational necessity.

We must begin where the crisis is most acute—in school discipline, which is covered by proposed section 30(1A)(a) in amendment 18. Every member of this Parliament agrees that there is a discipline issue in Scottish schools. The NASUWT Scotland survey from March 2025 found that 83 per cent of teachers reported more pupils being physically violent or abusive in the past year; eight in 10 had been threatened with a weapon; more than a third—37 per cent—had been assaulted by pupils; and nearly 90 per cent had experienced verbal abuse, from swearing and threats to racist or sexist insults.

The Scottish Government's behaviour in Scottish schools research in 2023 reported that incidents of violence, aggression and disruption "have risen significantly" in recent years. In fact, 35.8 per cent of Scottish 15-year-olds told programme for international student assessment 2022 researchers that they had witnessed a physical fight at school—that is double the OECD average.

What is particularly alarming is the increased vulnerability of female teachers. Teachers have described being groped, sexually harassed and physically intimidated. The cabinet secretary is fully aware that female teachers feel least safe, yet the response has been to issue vague recommendations without the investment or statutory backing to make a difference.

Given this reality, we must call into question the implementation of discipline policies. Under Scotland's new national action plan on relationships and behaviour, which was launched in August 2024, every school should have a clear behaviour policy that is followed by all. However, the NASUWT found that one in five teachers could not confirm whether their school even had a behaviour policy and, of those who could, only 6 per cent said that it was always enforced.

Worse still, teachers have raised concerns about over-reliance on the restorative behavioural approach, with 69 per cent of Scottish teachers who responded to one survey saying that that approach was the single biggest factor in deteriorating pupil behaviour at their school. Almost two thirds felt that restorative practices, such as mediated conversations after incidents, were ineffective in managing serious discipline. The NASUWT's general secretary cautioned that teachers

"are being left without the back-up and effective deterrents needed to address poor pupil behaviour."

Despite that, the SNP Government's recent guidance, which we have not had the opportunity to discuss in the chamber, is a collection of buzzwords that entirely fails to meet the seriousness of the situation. The guidance lacks clarity, direction and the legislative backbone to deliver safety. Instead of rules, teachers are given laminated lists of bullet points to hand out. Miles Briggs was bang on the money when he said that that SNP-issued guidance is

"a pathetic response to the epidemic of violence in Scottish classrooms".

He is right. We now know that violence is a big problem in schools and the guidance is not worth the laminated paper it is written on.

The culture of tolerating or hiding violence affects the whole school environment and learning outcomes. It drains teaching time while staff firefight disruptions. Instead of teaching, good teachers leave and pupils' learning suffers. It is therefore vital that inspectors ask whether school discipline policies are effective and implemented and whether staff are safe. If we cannot guarantee safety, every other aim—equity, attainment and inclusion—is undermined. Amendment 18 would enshrine that focus in the heart of inspections.

Amendment 18's proposed paragraph (b) is about

"the quality of the learning environment".

Audit Scotland's 2021 report "Improving outcomes for young people through school education" made clear the stark disparities between schools in different council areas. I hope that members will all agree that the variation in areas from digital connectivity and support staffing to access to up-to-date sports facilities and safe buildings, is unacceptable. The physical and digital infrastructure of a school directly affects learner outcomes, so inspectors must be empowered to assess the fitness of the learning environment in its totality.

That environment is not only about buildings; it is also about class context and culture. Class size is one key indicator. In primary schools, the average class size grew to 23.3 pupils by 2022 and more than 10 per cent of primary pupils were in classes of more than 30, despite an official policy aim to cap class sizes at 25 for pupils in primary 1 and 30 for primaries 2 and 3. Secondary school classes can be even larger for popular subjects, although official averages are not collected.

All of that matters for inspections because overly large classes can undermine the quality of the learning environment. Noise levels rise, individual support dwindles and teachers struggle to manage diverse learning needs. An internal EIS survey found that 72.8 per cent of secondary school branches and 65.5 per cent of primary teachers identified smaller class sizes as a top priority for improving inclusion and behaviour. Inspectors must therefore observe class sizes and pupil-teacher ratios because their effect on classroom atmosphere provides a vital context for a school's performance.

The next element of amendment 18 is proposed paragraph (c), which covers

"the support provided to persons with additional support needs, including access to appropriate resources and specialist support".

Angela Morgan's 2020 review condemned the implementation of Scotland's additional support for learning laws as being "fragmented" and "inconsistent" and Audit Scotland backed that up in 2021, saying that far too many learners with ASN, particularly those in mainstream settings, are not receiving the support that they need and that the presumption of mainstreaming, while well intended, has not been matched with adequate training or staffing. Audit Scotland reported a persistent attainment gap and said that pupils with identified ASN achieved significantly lower exam results on average and were less likely than their peers to go to positive destinations—we know how

much the Government loves to talk about those—after school.

A fundamental problem identified by the Morgan review in 2020 is that the implementation of ASN support is "fragmented" and "inconsistent". In practice, that can mean that ASN provision differs wildly by council area or school. A child might flourish with good support in one school, while a similar child elsewhere might struggle without it.

The Morgan review concluded that many aspects of the system, from staff training to resources and co-ordination, need improvement. Those findings were accepted by the Scottish Government, which developed an ASN action plan, but progress has been slow—by late 2024, only 40 of 76 recommended actions had been completed. That context makes it critical that inspections rigorously examine how each school supports ASN learners.

Front-line testimony from teachers and families suggests that there is an on-going ASN support crisis. The Scottish Secondary Teachers Association has warned of

"a system not built to meet"

pupils'

"needs".

Earlier this year, the SSTA president, Stuart Hunter, said:

"ASN staff are overwhelmed, and the system is breaking."

That leaves class teachers trying to juggle full teaching loads, plus the role of learning support.

We cannot continue to have a policy of placing children with complex needs in classrooms without the means to support them, and then leaving it to teachers to manage the consequences. Inspections must ask whether ASN pupils are being supported in practice, not just in theory.

The next element of the amendment, which is on

"the morale and wellbeing of teachers and staff"—

[*Interruption.*]

I am sorry that I am taking so long to spell this out, but the importance of each of the elements of amendment 18 needs to be illustrated, because the morale and mental health of teachers and school staff are not soft issues—they directly influence teaching quality and pupil experience. When staff are demoralised or burned out, absenteeism rises and continuity suffers, and it becomes harder to retain good teachers, which leads to shortages. Unfortunately, multiple surveys since 2018 indicate worsening stress and wellbeing among Scotland's teachers.

Even before the pandemic, an EIS survey in 2019 found that only 33 per cent of teachers felt generally satisfied in their job. By 2021, an EIS health and wellbeing survey of more than 16,000 teachers was painting a grim picture: more than 70 per cent of respondents said they felt “stressed” frequently or all the time, and fully 50 per cent rated their wellbeing at work as “poor” or “very poor”.

In 2022-23, Scottish teachers took 383,000 sick days—the highest number in more than a decade, while data compiled by the Improvement Service showed that stress is now the number 1 cause of teacher absence across Scotland. The Improvement Service warned that that trend is expected to worsen in coming years if nothing changes. That highlights the importance of including that element in inspections. Are staff protected? Are they listened to? Are they being treated with professional dignity?

The next element of amendment 18 is on recommendations on

“whether the number of teachers and staff in the establishment can meet the needs of the persons undertaking a qualification in that establishment”.

A 2025 survey by School Leaders Scotland revealed that more than a third of secondary schools had to cut or reduce course offerings due to a lack of teachers. It highlighted that subjects such as business studies, computing, home economics, modern languages, modern studies and physics are “losing a foothold” in timetables, and that in some schools, those courses have been withdrawn entirely for lack of a specialist teacher.

For example, 20 schools reported removing computing from their curriculum; others could offer national 4 and 5 computing only by assigning a non-specialist teacher from another subject. It goes on. These are often practical subjects that are crucial for skills and for certain career paths, and when they vanish, our young people lose opportunities. I would have thought that all of us in the chamber were interested in underpinning equality of opportunity for Scotland’s children and young people.

That applies to core exam subjects such as maths and English. Staffing is strained. SLS found that secondary schools start each day with an average of 2.9 teaching vacancies unfilled, even before accounting for teachers who are off sick.

I could say a lot about vacancy rates, but I will pass over those and summarise as follows. Inspections must ask whether the workforce is meeting the needs of pupils.

I will consider the next two elements of the amendment together. One is

“the type of employment contract held by teachers and staff in the establishment”

and the other is

“the number of teachers in the establishment who—

(i) are completing probationary service, or

(ii) are newly qualified teachers, having completed their probationary service no more than 5 years before the date of the inspection”.

20:30

One in six teachers in Scotland is currently employed on a temporary contract. Newly qualified teachers routinely complete probation and are then left scrambling for piecemeal roles. I recently visited a school in the Central Scotland region, where I met a fantastic young teacher, but he was running out of time and told me that he had no prospect of a permanent position. He had worked hard to get there—he had worked in Tesco and McDonald’s as he went through his teaching qualification—but now he is faced with the prospect of not having a permanent position and having to return to the piecemeal work that he had been doing before.

How do we feel about that? I know how I feel about it, because I looked into his face—this was a committed professional and someone who has a vocation in teaching. You could see it in the children in the class; they loved him, they loved his teaching, and he was interesting. He was exactly the sort of teacher that I would want my kids and grandkids to have. Yet, here he was, facing the prospect of a very uncertain future.

We should be looking at the situation of newly qualified teachers closely. That churn erodes continuity for learners, it disincentivises careers in teaching and it puts probationers in deeply vulnerable situations. That uncertainty is corrosive for the profession and the pupils. Inspections must include an assessment of staffing stability, in respect both of numbers and contract quality.

Why does that matter? First, a high reliance on temporary staff can disrupt continuity for pupils. A school with many temporary teachers might experience mid-year staffing changes or temps rotating year to year. As the EIS has argued, schools cannot maintain consistently high-quality learning if a significant chunk of the staff are effectively visiting teachers with no job security.

Secondly, I am also mindful of the teachers themselves. Being on a string of temporary contracts causes stress and lowers morale, which ultimately pushes some very talented people to leave the profession that they chose and love. For instance, after finishing the teacher induction scheme, only 12.8 per cent of new primary

teachers in 2023-24 obtained a permanent post, down from 57.6 per cent six years earlier.

Amendment 18 would require inspectors to consider what proportion of a school's teachers are permanent versus temporary or probationers. The rationale is that a school that relies too heavily on temporary staff might signal deeper problems in workforce planning or management culture.

The question that we need to ask ourselves is, when we see 30 per cent, as is the case—

The Deputy Presiding Officer: Mr Kerr, could you resume your seat for a wee second? You are obviously perfectly entitled to speak to your amendment, which you have done very thoroughly. However, we are now about 15 minutes on, and the normal indication is about five minutes. I ask you to please draw your remarks to a close—*[Interruption.]*

Stephen Kerr: I was unaware that there is any kind of time limit. I am trying to give a genuine—

The Deputy Presiding Officer: Mr Kerr, please resume your seat. If you were to speak with your business manager, you would understand a bit more about this process, because they have the information that you may have been seeking in that regard. Please resume and bring your remarks to a close. *[Interruption.]*

Stephen Kerr: Listen, it is not my party that has brought stage 3 of the Education (Scotland) Bill to the Scottish Parliament on the last Tuesday before the summer recess. In fact, it is my party that most consistently brings the subject of education to the Parliament at all. Therefore, I do not feel like apologising for trying to explain why this amendment is a big amendment about what constitutes a thorough inspection and what elements there should be. Members might not agree with it, but for them to applaud the suggestion that I should somehow know my place, know where I stand in the affairs of this Parliament and sit down and shut up will not work with me.

I will move on—I am near the end, actually—to proposed paragraph (h), which says:

“such other matters as the Chief Inspector considers appropriate.”

My point is that education is dynamic. New challenges emerge all the time, and inspectors must have the freedom to adapt. That should strike a chord with what the cabinet secretary said a few moments ago. That is why amendment 18 includes a provision for the chief inspector to add other areas of relevance to an inspection, which is quite right. Amendment 45 would ensure that those considerations are reflected in the reports that are laid before Parliament. Transparency must match rigour.

As I have tried to illustrate, each element of amendment 18 is backed by strong evidence and stakeholder support. All those factors, from discipline and the learning environment to staffing and teacher morale, are vital to the quality of schooling and they have often been raised by teachers unions, parents groups and educational researchers as needing attention.

I understand that certain members of the Government party might not want me to talk about any of those things, because they shed a light on the state of Scottish education after 18 years under its stewardship. However, that does not mean that we should not include those things in the bill as required elements of an inspection. The issues are intertwined with one other. Poor morale—*[Interruption.]* The First Minister can speak as loudly as he likes, because I have the microphone. He is chuntering away.

Poor morale is caused by bad behaviour, which is caused by lack of stability in classes, which is caused by there being no regular teacher or a lack of pupil support. That poor behaviour leads to teachers leaving, and the cycle repeats.

By writing the things in amendment 18 into the statutory inspection regime, Parliament will ensure that school inspections in Scotland provide a full picture and actionable recommendations on the things that matter most for improving our schools. Implementing them will help to drive improvements such as safer classrooms, better support for children with ASN, more consistent staffing for exam courses and a more motivated teaching workforce. Those are exactly the outcomes that should be highlighted in a parliamentary speech at stage 3.

I underline that amendment 18 represents a well-founded and crucial step towards delivering excellence and equity in Scottish education. This is not tokenism. These are elements of fact, grounded in truth. We affirm that education cannot flourish in denial. We affirm that schools, staff and learners deserve an inspection system that asks the right questions, demands the right standards and helps every school to improve. I urge colleagues across the chamber to support amendments 18 and 45 and restore both purpose and integrity to school inspection in Scotland.

Pam Duncan-Glancy: I thank the cabinet secretary for working with me and my team on the purpose of inspection. We got to the place where we should be.

However, Mr Kerr's amendment 18 highlights a lot of the issues that we see in classrooms today and which teachers, pupils, parents and others are telling us are of huge concern—the number of teachers on temporary contracts, the number of newly qualified teachers who cannot get jobs, the

experience of violence and poor behaviour in school and, of course, the experience of pupils with support needs. Those are all aspects that the inspectors should be looking at. For those reasons, I support both amendment 17 and amendment 18. Together, they form a good group of amendments, and I encourage Parliament to support both of them.

The Deputy Presiding Officer: Members will note that the agreed time limit for the debate on group 13 to finish has passed. I advise members that I exercised my power under rule 9.8.4A(c) to allow the debate on the group to continue beyond the limit in order to get to the end of it. I call the cabinet secretary to wind up.

Jenny Gilruth: I am grateful to Ms Duncan-Glancy and her office for working with me and officials in relation to amendment 17. I again urge Mr Kerr not to move his amendments in the group and, instead, to support the amendments in my name.

Amendment 17 agreed to.

Section 30—The inspection function

Amendment 18 moved—[Stephen Kerr].

The Deputy Presiding Officer: The question is, that amendment 18 be agreed to. Are we agreed?

Members: No.

The Deputy Presiding Officer: There will be a division. Members should cast their votes now.

The vote is closed.

Brian Whittle: On a point of order, Presiding Officer. I am sorry. Again, my app did not connect. I would have voted yes.

The Deputy Presiding Officer: Thank you, Mr Whittle. Your vote will be recorded.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)

Johnson, Daniel (Edinburgh Southern) (Lab)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O’Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]

Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Deputy Presiding Officer: The result of the division is: For 49, Against 68, Abstentions 0.

Amendment 18 disagreed to.

The Deputy Presiding Officer: I take the opportunity to correct the record on the result of the vote on amendment 198, in the name of Pam Duncan-Glancy, which has been dealt with already. In fact, the result is as follows: For 49, Against 69, Abstentions 0. The amendment was not agreed to; the correction does not change the result of the vote as intimated previously.

Group 14 is on frequency of inspection. Amendment 19, in the name of Stephen Kerr, is grouped with amendments 201, 22, 202, 203, 24, 26 to 28, 229, 230 and 241. I draw members' attention to the procedural information on the amendments: amendment 201 is pre-empted by amendment 20 in group 12; amendment 24 is pre-empted by amendment 23 in group 12; amendment 26 is pre-empted by amendment 23 in group 12; and amendment 229 pre-empts amendment 36 in group 12.

Stephen Kerr: My amendments in this group—19 and 22—are rooted in one fundamental principle, which is that every learner in Scotland, regardless of postcode or background, has the right to attend a school that is regularly, rigorously and transparently inspected. That is not a radical demand but a basic requirement of quality assurance in any high-functioning public service.

Audit Scotland, in its 2021 report “Improving outcomes for young people through school education”, highlighted that a fundamental weakness in the Scottish education system is that there is no statutory requirement for cyclical school inspections. Instead, Scotland operates a risk-based model that inspects only a small sample of schools annually—just 1.6 per cent of all schools in 2021-22—which means that, as I mentioned in response to an intervention from the First Minister, some schools in Scotland have not been inspected in more than a decade.

That is not a theoretical concern but a reality. It means that parents are left without reliable information about the performance of their child's school; that headteachers may spend an entire career without receiving external professional challenge; and that schools can drift unintentionally but measurably away from excellence without anyone noticing until it is too late.

Amendments 19 and 22 would address that directly by requiring that each education authority establishment be inspected at least once every four years. That is reasonable, proportionate and achievable. It would bring Scotland into line with our neighbours, because statutory inspection cycles are the norm across Europe.

According to the 2015 report “A Continuum of Approaches to School Inspections: Cases from Europe”, which was commissioned from Dublin City University, most countries operate within a three to five-year inspection window. In England, Ofsted inspects state-funded schools that have previously been rated good or outstanding on a four-year cycle. Wales is just outside that average, as it operates a six-year inspection cycle that is supplemented by annual self-evaluation reporting. In Ireland, a multi-year rolling inspection programme applies to schools, which are typically inspected every three to five years. The Netherlands uses differentiated inspection cycles but guarantees inspections at least once every four years, even for high-performing schools.

20:45

However, in Scotland, half our schools have not been inspected for a very long time. Scottish education used to be, and should be, the gold standard. Now, we cannot even seem to inspect our schools on a regular basis. Why does that matter? It matters because inspection is not a bureaucratic exercise but a cornerstone of public accountability. It tells the public how the education system is performing; it supports professional improvement; it creates conditions for trust and transparency; and it can identify issues before they become endemic.

Amendments 19 and 22 would introduce a statutory requirement that every “educational establishment” be inspected

“at least once every 4 years.”

This is not an abstract or academic concern. It responds directly to what is a glaring weakness in the current system.

In our committee meetings at stage 2, I raised the point that a lack of regular inspection is not only a failure of policy but a failure of principle. We are supposed to be the champions of equity and quality in Scottish education, yet we permit an inspection regime that allows schools to go unvisited for many years.

The cabinet secretary responded at stage 2 that the inspection capacity was limited and that a statutory duty could overburden the system. However, that is not a reason to evade accountability—it is a reason to resource it properly. If we accept the argument that we cannot afford to inspect our schools regularly, what are we really saying? We are saying that we cannot afford quality assurance in schools and that we cannot afford transparency. That is a position that no serious Government or party should adopt.

We all agree that the most efficient way to reduce the burden on the national health service is through preventative measures, because that will cost significantly less in the long term—we hear that argument regularly in this chamber. I would argue the exact same on this issue. If we want to reduce poverty, improve health outcomes and create a highly skilled and highly productive workforce, we must ensure that our schools are of the highest standard, and that implies regular inspection.

A four-year cycle would ensure that every child, over the course of their primary or secondary journey, attends a school that will be inspected at least once. Is that really asking for too much? That is the baseline of fairness.

A four-year cycle would also provide schools with a predictable timeline. There would be no more speculation about when an inspection might arrive and no more operating under a cloud of uncertainty. It would professionalise the process and strengthen public trust—and, I would argue, the trust of school leaders and their staff.

I will briefly address Pam Duncan-Glancy’s amendments 202 and 203, which propose school inspections on a seven or 11-year cycle. Although I believe that those intervals are too long to provide the necessary accountability, I recognise their intention. If my four-year proposal is not to be accepted by the Parliament, I urge colleagues to at least support amendments 202 and 203 as a

backstop, because a flawed cycle is better than no cycle at all.

I welcome amendment 241, which would allow schools to request an inspection. That is pure common sense. If a school believes that it would benefit from an external review, that request should not be dismissed. Rightly, amendment 241 would require the chief inspector to respond with either a commitment to inspect or a written justification for declining.

The amendments that I have spoken to do not demand perfection; they demand professionalism. They would not impose micromanagement; they would impose accountability, as they should. Without regular inspections, we cannot claim to know what is happening in our schools. Without a reporting duty, we cannot claim to be transparent. Without statutory requirements, we cannot claim to be serious.

As amendments 19 and 22 set a clear, reasonable and achievable standard, they would answer the call of Audit Scotland, which I referenced earlier, and align us with international best practice. They would send the message to every parent, teacher and learner in Scotland that their school matters and will not be forgotten. I urge colleagues from across the chamber to support these essential reforms.

I move amendment 19.

The Presiding Officer (Alison Johnstone): I call Pam Duncan-Glancy to speak to amendment 201 and other amendments in the group.

Pam Duncan-Glancy: A school inspection should offer two assurances—first, that every learner’s right to a high-quality education is being met, and, secondly, that support will arrive promptly when standards fall short. Neither assurance can be given if inspections do not take place for years. There are some establishments in Scotland that have not had an inspection at all since 2008.

To anchor regular inspection in law, amendments 201, 202 and 203 provide a rebuttable presumption of minimum frequency. They present members with two practical options. Amendment 202 proposes an inspection at least once every seven years, and amendment 203 proposes an inspection at least once every 11 years. Seven years spans a learner’s journey from the first day of primary school to the start of secondary school, while 11 years follows the same learner from primary 1 right through to the final year of what is considered mandatory secondary education in Scotland. Either interval would be a marked improvement on the current position. I emphasise that those frequencies are of course a floor and not a ceiling and that they could be amended to be more frequent.

That is why we support the cabinet secretary's amendments 24, 26, 27 and 28, which would empower ministers, through regulations subject to affirmative parliamentary procedure—thus making it unlikely that they would slide back beyond seven or 11 years—to vary the specified interval should the opportunity arise and it be considered necessary that establishments be inspected more frequently. However, our amendments are stronger because they would enshrine a specific time in legislation and ensure that no school waits indefinitely for external scrutiny. Nonetheless, there is the backstop, one might say, of the cabinet secretary's amendments.

However, regular cycles are only part of the picture. My amendments 229 and 230 would require the chief inspector to set out in the published inspection plan a transparent risk-based model that can be used to identify where additional or earlier visits might be necessary. It would ensure that resources followed need and not timetable. When we spoke to teachers and school leaders, they felt that it was important for them to have the ability to identify where they could seek improvement and help. That is why amendments 229 and 230 are important amendments.

Finally, amendment 341 would give educational establishments the right to request an inspection, even if one was not otherwise due that particular year. The committee's stage 1 report said that a fresh external review can be invaluable when a school has already begun its improvement journey. The amendment would make that professional discretion possible. It would also require engagement with the local authority for that purpose, so that, when the local authority and the school understand that a request for inspection would be useful for the school, they can make it together to the inspectorate.

With those measures—baseline frequency, a risk-based overlay and the option for schools to call in an inspection when they judge it to be helpful—we would move away from an inspection regime that, in its sporadic and opaque nature, can deliver fear to the staff who work in schools, which is not what inspection should deliver. The amendments would move us from an inspection regime that is sporadic and opaque to one that is predictable, responsive and supportive, which is exactly the sort of independent inspectorate regime that we need in Scotland.

I therefore intend to move amendment 201 and commend amendments 202, 203, 229, 230 and 241, and I confirm that Scottish Labour will support the cabinet secretary's amendments.

Jenny Gilruth: The frequency of inspection, in particular of our schools, is an important topic, which we discussed at length during stage 2.

At stage 2, Mr Kerr proposed that all schools should be inspected at least every three years, which would have meant the inspectorate undertaking around 800 inspections per year. His amendments 19 and 22 would require such inspections to occur every four years, as we have heard. Given that there are around 250 school inspections per year, we would need to significantly increase the resourcing of inspection to achieve the approximately 600 inspections per year that those amendments would require.

However, the system impacts would arguably be even more important. Inspectors generally come from headteacher or deputy headteacher roles, so the implications of suddenly recruiting many more of those individuals would be very challenging for their schools and their pupils.

Ms Duncan-Glancy also proposes, in her amendments 201 to 203, that we include a minimum frequency of inspection in the bill, offering alternatives of seven and 11 years. However, the fact that we are offered three different minimum frequencies underscores a fundamental problem with the approach. What are the criteria or rationale on which we are to judge whether a minimum of four, seven or 11 years is optimal for our schools?

My amendments 24 and 26 to 28 set out a process by which the Scottish ministers must engage fully with the education system and, following that careful consideration, set out to Parliament what is believed to be the optimum minimum frequency of school inspection.

Pam Duncan-Glancy: Yes, there are amendments that propose a frequency of inspections of four, seven or 11 years. I would argue that I set out a strong rationale for a school being inspected at least once in a young person's primary school career or, if not by that point, at least once in their secondary school, by S4.

My proposals would provide for a rational, logical and specific defined inspection regime in legislation. In addition, the powers that are to be granted to the Scottish ministers in the cabinet secretary's amendments allow for that to be reconsidered, including whether an inspection could be more frequent in the future. I do not know why the cabinet secretary cannot support a minimum inspection frequency in legislation.

Jenny Gilruth: I am broadly supportive of the position that Ms Duncan-Glancy expresses. However, she will recall that, during stage 2, she made a proposal about ensuring that regulations would be made. I think that she has since changed her position, as can be seen in the amendments that we are discussing today. I do not believe that we should be rushing to set a minimum frequency today. At stage 2, she proposed a requirement

that teachers should be consulted before any minimum frequency was set. I agree with her. She was right in taking the view then that there should be consultation with teachers before we set a minimum level, which regulations would allow us to do.

I have sympathy with the intentions behind Ms Duncan-Glancy's other amendments, as I have alluded to. Amendments 229 and 230 seek to put in place a requirement for the inspection plan to set out

"a risk-based method by which the frequency of inspection ... is to be set",

and a description of risk-levels and how those would be assessed. Consideration of risk is part of effective inspection, and it is already embedded in the approach to inspection. However, what is proposed might inadvertently give the impression that inspections are initiated only when there are perceived to be problems, which could risk skewing the overall picture of the education system that inspections can obtain. It would also risk building rigidity into the inspection planning process.

The amendments would also remove the current provision requiring the inspection plan to set out the frequency with which different types of establishment will be inspected. I am sure that members will agree that that would be an unsatisfactory result.

Pam Duncan-Glancy: Those timescales, and the need to have timescales in legislation, have been tested with teachers, school leaders, inspectors and others across the country. I understand the importance of consultation—I have done it; I have done the due diligence that the cabinet secretary might expect.

The cabinet secretary is saying that the risk-based approach is more concerning or punitive. Surely she can also see that the risk-based approach and the approach in which schools can invite inspection to support their continuous improvement cycle achieve the right balance. That would give schools the necessary control and power over the times that inspections happen, and it would give inspectors the right resources and powers to ensure that there are enough inspections happening at regular intervals.

Jenny Gilruth: I do not agree with that in relation to the purpose of inspection. I think that the approach would skew the purpose of inspection, as I have just set out.

There are three options in front of Parliament this evening for the cycle that would be applied to the inspections as set out by the chief inspector. Given that there is no agreed position on any of those options, the Government's position is one

that Ms Duncan-Glancy advanced with me at stage 2, which is that we should look to consult through regulations. That is the best way forward to consult, particularly with the teaching profession, because the measures will have an impact on teachers and the work that they undertake every day in Scotland's schools.

As I have set out, I cannot support amendments 229 and 230. We should leave those matters to the good and independent judgment of the chief inspector. I remind members that the draft inspection plan will be subject to scrutiny and consultation, and it will need to be laid before Parliament prior to approval, at which point members will have the opportunity to provide representations and challenge on such matters.

21:00

Similarly, Ms Duncan-Glancy's amendment 241 would provide that establishments could request an inspection under certain conditions. Although I understand the intention behind that proposal, it again jeopardises the balance of inspection and risks bogging down the chief inspector in the bureaucracy of receiving, considering and having to respond to requests. Again, although there is nothing objectionable in the concept, I strongly believe that considerations as to when inspections are required should be left to the chief inspector to set out in their inspection plan. I therefore ask members not to support amendment 241.

Stephen Kerr: I find it a strange argument that we should not look at what other jurisdictions are doing proportionally and judge ourselves against what independent research has found to be international best practice.

We need to rectify the fact that we do not have enough inspectors. It is very simple, really. Similarly, we do not have enough people in a bunch of other positions in the health service or other public services. That is entirely down to poor workforce planning over a number of years by the SNP. However, that is not an argument for not doing what we should do to benefit our schools, teachers, learners and parents.

The argument for not having something in statute to state that schools should have an inspection on a cyclical basis seems to me to be a fairly poor one for not doing the right thing. The idea that we will have yet more consultations and more reviews and that we may or may not bring forward a proposal is vacuous and one which I think the profession and the educational world find most—

Kevin Stewart: Will Mr Kerr give way?

Stephen Kerr: Of course I will. I am delighted to give way to Kevin Stewart.

Kevin Stewart: What is vacuous is Mr Kerr saying that he wants to spend more money on things such as school inspectors when he belongs to a party that wants to cut the tax base by £1 billion.

Stephen Kerr: It is just a shame that, at 2 minutes past 9, maybe not many of our fellow Scots are watching this Parliament's proceedings—*[Interruption.]*

Jenny Gilruth: They're not watching you. *[Interruption.]*

The Presiding Officer: Let us hear Mr Kerr.

Stephen Kerr: —because that is exactly the redundancy of a party that is out of ideas and out of steam and that, I hope, will be out of office very soon. Frankly, it is called priorities. You create priorities and, if it is a priority to raise standards—*[Interruption.]* It is all right for the cabinet secretary at the front to shout her normal stuff from a sedentary position.

The Presiding Officer: Let us hear one another.

Stephen Kerr: It is up to the cabinet secretary if she wants to shout that kind of stuff, but I tell her, in case she does not understand, that to govern is to choose what our priorities are. The Conservative Party's priority would be the education system of our country, because it is the wellspring of our prosperity.

Kevin Stewart: Will the member give way?

Stephen Kerr: I am happy to give way again if Mr Stewart wants to further humiliate himself.

Kevin Stewart: I know what my priorities are. I would not cut the tax base by £1 billion. I would rather spend the money on front-line teaching and on pupils than on a huge bureaucracy of inspectors.

Stephen Kerr: Kevin Stewart needs to attend the Parliament's sessions more frequently because, if he did, he would have heard Ivan McKee last week describe how his party, in government, is going to save £1 billion. If the SNP is going to save £1 billion through reducing redundancy and waste, perhaps it can spend some of that money on increasing the number of school inspectors. That is the kind of sensible and common-sense approach to government that our party will be putting to the people of Scotland over the next few months and at next year's election. *[Interruption.]*

The Presiding Officer: Let us hear Mr Kerr.

Stephen Kerr: In all seriousness, it is very unfortunate that we have ended up discussing something as serious as school inspections in this way. It has become another political football for

certain members of the Parliament to kick about when we are discussing things in a pragmatic and sensible way across the chamber. *[Interruption.]* Again, the cabinet secretary is heckling from a sedentary position. That is the style that we have become used to from Shona Robison. *[Interruption.]*

The Presiding Officer: Let us hear Mr Kerr. Let us hear one another.

Stephen Kerr: I conclude by pressing amendment 19 in my name.

The Presiding Officer: The question is, that amendment 19 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

The vote is closed.

Davy Russell: On a point of order, Presiding Officer. I had difficulty in logging in. I would have voted no.

The Presiding Officer: Thank you, Mr Russell. We shall ensure that your vote is recorded.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowe, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Dr Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)

Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)

Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 26, Against 91, Abstentions 0.

Amendment 19 disagreed to.

Amendment 20 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 20 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowe, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)

Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)

Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 26, Against 92, Abstentions 0.

Amendment 20 disagreed to.

Amendment 201 moved—[Pam Duncan-Glancy].

The Presiding Officer: The question is, that amendment 201 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)

Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
Adam, Karen (Banffshire and Buchan Coast) (SNP)
Adamson, Clare (Motherwell and Wishaw) (SNP)
Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
Arthur, Tom (Renfrewshire South) (SNP)
Beattie, Colin (Midlothian North and Musselburgh) (SNP)
Brown, Keith (Clackmannanshire and Dunblane) (SNP)
Brown, Siobhian (Ayr) (SNP)
Burgess, Ariane (Highlands and Islands) (Green)
Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
Chapman, Maggie (North East Scotland) (Green)
Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
Cole-Hamilton, Alex (Edinburgh Western) (LD)
Constance, Angela (Almond Valley) (SNP)
Dey, Graeme (Angus South) (SNP)
Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
Dornan, James (Glasgow Cathcart) (SNP)
Dunbar, Jackie (Aberdeen Donside) (SNP)
Ewing, Annabelle (Cowdenbeath) (SNP)
Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
FitzPatrick, Joe (Dundee City West) (SNP)
Gibson, Kenneth (Cunninghame North) (SNP)
Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
Gougeon, Mairi (Angus North and Mearns) (SNP)
Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
Gray, Neil (Airdrie and Shotts) (SNP)
Greene, Jamie (West Scotland) (LD)
Greer, Ross (West Scotland) (Green)
Harper, Emma (South Scotland) (SNP)
Harvie, Patrick (Glasgow) (Green)
Haughey, Clare (Rutherglen) (SNP)
Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
Hyslop, Fiona (Linlithgow) (SNP)
Kidd, Bill (Glasgow Anniesland) (SNP)
Lochhead, Richard (Moray) (SNP)
MacDonald, Gordon (Edinburgh Pentlands) (SNP)
MacGregor, Fulton (Coatbridge and Chryston) (SNP)
Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
Mackay, Rona (Strathkelvin and Bearsden) (SNP)
Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
Martin, Gillian (Aberdeenshire East) (SNP)
Mason, John (Glasgow Shettleston) (Ind)
Matheson, Michael (Falkirk West) (SNP)
McAllan, Màiri (Clydesdale) (SNP)
McArthur, Liam (Orkney Islands) (LD)
McLennan, Paul (East Lothian) (SNP)
McMillan, Stuart (Greenock and Inverclyde) (SNP)
McNair, Marie (Clydebank and Milngavie) (SNP)
Minto, Jenni (Argyll and Bute) (SNP)
Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
Rennie, Willie (North East Fife) (LD)
Robertson, Angus (Edinburgh Central) (SNP)
Robison, Shona (Dundee City East) (SNP)
Roddick, Emma (Highlands and Islands) (SNP)
Ruskell, Mark (Mid Scotland and Fife) (Green)
Slater, Lorna (Lothian) (Green)
Somerville, Shirley-Anne (Dunfermline) (SNP)
Stevenson, Collette (East Kilbride) (SNP)
Stewart, Kaukab (Glasgow Kelvin) (SNP)
Stewart, Kevin (Aberdeen Central) (SNP)
Sturgeon, Nicola (Glasgow Southside) (SNP)
Swinney, John (Perthshire North) (SNP)
Thomson, Michelle (Falkirk East) (SNP)

Todd, Maree (Caithness, Sutherland and Ross) (SNP)
Torrance, David (Kirkcaldy) (SNP)
Tweed, Evelyn (Stirling) (SNP)
Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
Wishart, Beatrice (Shetland Islands) (LD)
Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 48, Against 70, Abstentions 0.

Amendment 201 disagreed to.

Amendment 21 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 21 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
Baker, Claire (Mid Scotland and Fife) (Lab)
Balfour, Jeremy (Lothian) (Con)
Bibby, Neil (West Scotland) (Lab)
Briggs, Miles (Lothian) (Con)
Burnett, Alexander (Aberdeenshire West) (Con)
Carlaw, Jackson (Eastwood) (Con)
Carson, Finlay (Galloway and West Dumfries) (Con)
Choudhury, Foysol (Lothian) (Lab)
Clark, Katy (West Scotland) (Lab)
Dowey, Sharon (South Scotland) (Con)
Duncan-Glancy, Pam (Glasgow) (Lab)
Eagle, Tim (Highlands and Islands) (Con)
Fraser, Murdo (Mid Scotland and Fife) (Con)
Gallacher, Meghan (Central Scotland) (Con)
Golden, Maurice (North East Scotland) (Con)
Grant, Rhoda (Highlands and Islands) (Lab)
Griffin, Mark (Central Scotland) (Lab)
Gulhane, Sandesh (Glasgow) (Con)
Halcro Johnston, Jamie (Highlands and Islands) (Con)
Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
Hoy, Craig (South Scotland) (Con)
Johnson, Daniel (Edinburgh Southern) (Lab)
Kerr, Liam (North East Scotland) (Con)
Kerr, Stephen (Central Scotland) (Con)
Lennon, Monica (Central Scotland) (Lab)
Leonard, Richard (Central Scotland) (Lab)
Lumsden, Douglas (North East Scotland) (Con)
Marra, Michael (North East Scotland) (Lab)
McCall, Roz (Mid Scotland and Fife) (Con)
McNeill, Pauline (Glasgow) (Lab)
Mochan, Carol (South Scotland) (Lab)
Mountain, Edward (Highlands and Islands) (Con)
Mundell, Oliver (Dumfriesshire) (Con)
O'Kane, Paul (West Scotland) (Lab)
Ross, Douglas (Highlands and Islands) (Con)
Rowley, Alex (Mid Scotland and Fife) (Lab)
Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
Sarwar, Anas (Glasgow) (Lab)
Simpson, Graham (Central Scotland) (Con)
Smith, Liz (Mid Scotland and Fife) (Con)
Smyth, Colin (South Scotland) (Lab)
Stewart, Alexander (Mid Scotland and Fife) (Con)
Sweeney, Paul (Glasgow) (Lab)
Villalba, Mercedes (North East Scotland) (Lab)
Webber, Sue (Lothian) (Con)
Wells, Annie (Glasgow) (Con)
Whitfield, Martin (South Scotland) (Lab)
Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 49, Against 69, Abstentions 0.

Amendment 21 disagreed to.

Amendment 22 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 22 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)

Duncan-Glancy, Pam (Glasgow) (Lab)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O'Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the division is: For 27, Against 92, Abstentions 0.

Amendment 22 disagreed to.

21:15

Amendment 202 moved—[Pam Duncan-Glancy].

The Presiding Officer: The question is, that amendment 202 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foyso (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Dowey, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)

Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the vote on amendment 202 is: For 48, Against 70, Abstentions 0.

Amendment 202 disagreed to.

Amendment 203 moved—[Pam Duncan-Glancy].

The Presiding Officer: The question is, that amendment 203 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Balfour, Jeremy (Lothian) (Con)
 Bibby, Neil (West Scotland) (Lab)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Doney, Sharon (South Scotland) (Con)
 Duncan-Glancy, Pam (Glasgow) (Lab)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Griffin, Mark (Central Scotland) (Lab)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lumsden, Douglas (North East Scotland) (Con)
 Marra, Michael (North East Scotland) (Lab)
 McCall, Roz (Mid Scotland and Fife) (Con)
 McNeill, Pauline (Glasgow) (Lab)
 Mochan, Carol (South Scotland) (Lab)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 O'Kane, Paul (West Scotland) (Lab)
 Ross, Douglas (Highlands and Islands) (Con)
 Rowley, Alex (Mid Scotland and Fife) (Lab)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Smyth, Colin (South Scotland) (Lab)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Sweeney, Paul (Glasgow) (Lab)
 Villalba, Mercedes (North East Scotland) (Lab)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whitfield, Martin (South Scotland) (Lab)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Chapman, Maggie (North East Scotland) (Green)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 Minto, Jenni (Argyll and Bute) (SNP)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Slater, Lorna (Lothian) (Green)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)

Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the vote on amendment 203 is: For 49, Against 68, Abstentions 0.

Amendment 203 disagreed to.

Amendment 23 moved—[Stephen Kerr].

The Presiding Officer: The question is, that amendment 23 be agreed to. Are we agreed?

Members: No.

The Presiding Officer: There will be a division.

For

Balfour, Jeremy (Lothian) (Con)
 Briggs, Miles (Lothian) (Con)
 Burnett, Alexander (Aberdeenshire West) (Con)
 Carlaw, Jackson (Eastwood) (Con)
 Carson, Finlay (Galloway and West Dumfries) (Con)
 Dowey, Sharon (South Scotland) (Con)
 Eagle, Tim (Highlands and Islands) (Con)
 Fraser, Murdo (Mid Scotland and Fife) (Con)
 Gallacher, Meghan (Central Scotland) (Con)
 Golden, Maurice (North East Scotland) (Con)
 Gulhane, Sandesh (Glasgow) (Con)
 Halcro Johnston, Jamie (Highlands and Islands) (Con)
 Hamilton, Rachael (Ettrick, Roxburgh and Berwickshire) (Con)
 Hoy, Craig (South Scotland) (Con)
 Kerr, Liam (North East Scotland) (Con)
 Kerr, Stephen (Central Scotland) (Con)
 Lumsden, Douglas (North East Scotland) (Con)
 McCall, Roz (Mid Scotland and Fife) (Con)
 Mountain, Edward (Highlands and Islands) (Con)
 Mundell, Oliver (Dumfriesshire) (Con)
 Ross, Douglas (Highlands and Islands) (Con)
 Simpson, Graham (Central Scotland) (Con)
 Smith, Liz (Mid Scotland and Fife) (Con)
 Stewart, Alexander (Mid Scotland and Fife) (Con)
 Webber, Sue (Lothian) (Con)
 Wells, Annie (Glasgow) (Con)
 Whittle, Brian (South Scotland) (Con)

Against

Adam, George (Paisley) (SNP)
 Adam, Karen (Banffshire and Buchan Coast) (SNP)
 Adamson, Clare (Motherwell and Wishaw) (SNP)
 Allan, Alasdair (Na h-Eileanan an Iar) (SNP)
 Arthur, Tom (Renfrewshire South) (SNP)
 Baillie, Jackie (Dumbarton) (Lab)
 Baker, Claire (Mid Scotland and Fife) (Lab)
 Beattie, Colin (Midlothian North and Musselburgh) (SNP)
 Bibby, Neil (West Scotland) (Lab)
 Brown, Keith (Clackmannanshire and Dunblane) (SNP)
 Brown, Siobhian (Ayr) (SNP)
 Burgess, Ariane (Highlands and Islands) (Green)
 Callaghan, Stephanie (Uddingston and Bellshill) (SNP)
 Chapman, Maggie (North East Scotland) (Green)
 Choudhury, Foysol (Lothian) (Lab)
 Clark, Katy (West Scotland) (Lab)
 Coffey, Willie (Kilmarnock and Irvine Valley) (SNP)
 Cole-Hamilton, Alex (Edinburgh Western) (LD)
 Constance, Angela (Almond Valley) (SNP)
 Dey, Graeme (Angus South) (SNP)
 Doris, Bob (Glasgow Maryhill and Springburn) (SNP)
 Dornan, James (Glasgow Cathcart) (SNP)
 Dunbar, Jackie (Aberdeen Donside) (SNP)
 Duncan-Glancy, Pam (Glasgow) (Lab)

Ewing, Annabelle (Cowdenbeath) (SNP)
 Fairlie, Jim (Perthshire South and Kinross-shire) (SNP)
 FitzPatrick, Joe (Dundee City West) (SNP)
 Gibson, Kenneth (Cunninghame North) (SNP)
 Gilruth, Jenny (Mid Fife and Glenrothes) (SNP)
 Gougeon, Mairi (Angus North and Mearns) (SNP)
 Grahame, Christine (Midlothian South, Tweeddale and Lauderdale) (SNP)
 Grant, Rhoda (Highlands and Islands) (Lab)
 Gray, Neil (Airdrie and Shotts) (SNP)
 Greene, Jamie (West Scotland) (LD)
 Greer, Ross (West Scotland) (Green)
 Griffin, Mark (Central Scotland) (Lab)
 Harper, Emma (South Scotland) (SNP)
 Harvie, Patrick (Glasgow) (Green)
 Haughey, Clare (Rutherglen) (SNP)
 Hepburn, Jamie (Cumbernauld and Kilsyth) (SNP)
 Hyslop, Fiona (Linlithgow) (SNP)
 Johnson, Daniel (Edinburgh Southern) (Lab)
 Kidd, Bill (Glasgow Anniesland) (SNP)
 Lennon, Monica (Central Scotland) (Lab)
 Leonard, Richard (Central Scotland) (Lab)
 Lochhead, Richard (Moray) (SNP)
 MacDonald, Gordon (Edinburgh Pentlands) (SNP)
 MacGregor, Fulton (Coatbridge and Chryston) (SNP)
 Mackay, Gillian (Central Scotland) (Green) [Proxy vote cast by Ross Greer]
 Mackay, Rona (Strathkelvin and Bearsden) (SNP)
 Macpherson, Ben (Edinburgh Northern and Leith) (SNP)
 Maguire, Ruth (Cunninghame South) (SNP) [Proxy vote cast by Rona Mackay]
 Marra, Michael (North East Scotland) (Lab)
 Martin, Gillian (Aberdeenshire East) (SNP)
 Mason, John (Glasgow Shettleston) (Ind)
 Matheson, Michael (Falkirk West) (SNP)
 McAllan, Màiri (Clydesdale) (SNP)
 McArthur, Liam (Orkney Islands) (LD)
 McLennan, Paul (East Lothian) (SNP)
 McMillan, Stuart (Greenock and Inverclyde) (SNP)
 McNair, Marie (Clydebank and Milngavie) (SNP)
 McNeill, Pauline (Glasgow) (Lab)
 Minto, Jenni (Argyll and Bute) (SNP)
 Mochan, Carol (South Scotland) (Lab)
 Nicoll, Audrey (Aberdeen South and North Kincardine) (SNP)
 O’Kane, Paul (West Scotland) (Lab)
 Rennie, Willie (North East Fife) (LD)
 Robertson, Angus (Edinburgh Central) (SNP)
 Robison, Shona (Dundee City East) (SNP)
 Roddick, Emma (Highlands and Islands) (SNP)
 Ruskell, Mark (Mid Scotland and Fife) (Green)
 Russell, Davy (Hamilton, Larkhall and Stonehouse) (Lab)
 Sarwar, Anas (Glasgow) (Lab)
 Slater, Lorna (Lothian) (Green)
 Smyth, Colin (South Scotland) (Lab)
 Somerville, Shirley-Anne (Dunfermline) (SNP)
 Stevenson, Collette (East Kilbride) (SNP)
 Stewart, Kaukab (Glasgow Kelvin) (SNP)
 Stewart, Kevin (Aberdeen Central) (SNP)
 Sturgeon, Nicola (Glasgow Southside) (SNP)
 Sweeney, Paul (Glasgow) (Lab)
 Swinney, John (Perthshire North) (SNP)
 Thomson, Michelle (Falkirk East) (SNP)
 Todd, Maree (Caithness, Sutherland and Ross) (SNP)
 Torrance, David (Kirkcaldy) (SNP)
 Tweed, Evelyn (Stirling) (SNP)
 Villalba, Mercedes (North East Scotland) (Lab)
 Whitfield, Martin (South Scotland) (Lab)
 Whitham, Elena (Carrick, Cumnock and Doon Valley) (SNP)
 Wishart, Beatrice (Shetland Islands) (LD)
 Yousaf, Humza (Glasgow Pollok) (SNP)

The Presiding Officer: The result of the vote on amendment 23 is: For 27, Against 91, Abstentions 0.

Amendment 23 disagreed to.

Amendments 24 to 28 moved—[Jenny Gilruth]—and agreed to.

The Presiding Officer: Group 15 is on the functions of the chief inspector. Amendment 204, in the name of Ross Greer, is grouped with amendments 205, 206, 35, 210, 221, 53 and 257 to 259. If amendment 32, previously debated in group 12, on the independence of the chief inspector, is agreed to, amendment 205 will be pre-empted.

Ross Greer: Amendments 204, 205 and 221 are relatively late additions to the debate, so their scope is limited. I am aware that some members started receiving emails about them from constituents today. I seem to elicit that response in people, but I hope that emails in roughly equal numbers for and against have filled members’ inboxes on issues related to me over the past few months.

I lodged my amendments primarily because of concerns from local government colleagues about the lack of attention that is paid to home schooling and children who are educated at home. The intention is to maximise the chief inspector’s options in the future, without the need to change primary legislation later. I have concerns about the lack of inspection of, and home visits to, those who choose to educate their children at home, so I have laid out a couple of options.

Amendment 204 would give the chief inspector the option, but not the duty, to inspect home education provisions—this is a “may”, not a “must”—and it would give ministers the power to specify those arrangements via regulations.

Amendment 205 would give ministers the power to include home schooling in the list of establishments that HMIE may inspect via regulations at a later point. The advantage would be that there would be no need to introduce further primary legislation. This is a “may”, not a “must”, situation and there would be no obligation on ministers to bring forward those regulations, but the provision would create the power to do so if, at a future point, the Government or Parliament believed that to be necessary.

Amendment 221 would simply require the chief inspector to review whether home schooling should fall under their remit for inspections and whether the duties on education authorities in relation to home education should change.

To be honest, I do not think that most councils in Scotland could tell us how many children in their

areas are being educated at home—that is how little scrutiny is currently given to the matter.

Martin Whitfield: Such an approach was not considered at the bill's earlier stages. My understanding is that local authorities frequently have a headteacher who is specified to deal with home schooling. They look at and integrate with the families who choose home schooling and check that the curriculum for excellence or its equivalent is being delivered.

Is Mr Greer aware of how many local authorities are not doing that? My subjective understanding is that there is frequent outreach from a significant number of local authorities, particularly across the south of Scotland, to the very people he is talking about.

Ross Greer: Ahead of the debate, I spoke to a handful of local authorities—or, at least, to one of their locally elected members—and none of them could give me an answer as to how many children were being home educated in their areas. I found that quite striking—hence the amendments.

I am trying to surface the issue, and there are multiple options for Parliament, but I do not think that any one of them will provide the solution. I am primarily interested in getting the Government's response. The more I have engaged with the issue over recent days, the more concerned I have become that there is a bit of a black hole.

I understand entirely why many families choose to home educate their children—often in situations in which their child has been failed by the local authority's education provision or, certainly, in which they feel that they have been failed. That is not meant as a criticism. It is simply the case that all areas of our education system should be held to broadly similar standards, and there is a bit of a gap.

None of my amendments 204, 205 and 221 would result in home schooling immediately being subject to HMIE inspections but, in different ways, they would all give us the option of returning to that in the future.

Karen Adam (Banffshire and Buchan Coast) (SNP): In relation to home schooling children, it is often the case not that the school has failed the child but that the child needs education that is bespoke to them and that the family know will support them. Could trying to assimilate a child into a system that their family have purposely removed them from—for their best interests—end up adding problems, when the child was moving away from that system in the first place?

Ross Greer: To be clear, the amendments are not designed to move children out of home education and back into a school environment. As Karen Adam outlined, many parents choose to

home educate their children to make sure that their children's needs are met. I am proposing that we check that children's needs are being met. In every other area of our education system, there are checks and balances to make sure that children's needs are being met and that children are being safeguarded.

There is an anomalous gap in how we regulate and make sure that children who are being home educated have their needs met and are being safeguarded. I am not comfortable with one part of the education system being held to a very different and—I have to be honest—much lower standard. I am not saying that a lower standard of education is being delivered in home education but, with regard to regulation, home education is being held to a much lower standard. I want to consider whether that difference in what is essentially quality assurance is appropriate. For example, it would be appropriate for HMIE to have the ability to do a thematic inspection of home schooling, but it does not have the power to do that at the moment. We do not need to be prescriptive at this point, but we should give ourselves the option of returning to the issue to fill in what is quite a notable gap in the system.

That being said, the Scottish Government may have an alternative way to address this. I understand concerns about a review being led by the chief inspector but, if the Government were to be agreeable to a review being led by ministers to consider the issues and the duties on local authorities as well as on the Government and HMIE, that would perhaps be a positive route forward.

I raised the issue because, as I have looked at it and engaged with colleagues, particularly in local government, I have quickly become concerned. Even on a fundamental level, the absence of data and being able to quantify—

Jackie Dunbar: Will the member take an intervention?

Ross Greer: Yes.

Jackie Dunbar: Has the member engaged with people in the home education community on what he is putting forward? Has he engaged with their views on how this can be progressed to ensure that we are getting it right for every child?

Ross Greer: The point of amendment 221 would be to engage with people in the home education community, because it is essential that we take them on board. I want us to have the mechanism to do that. The review process under that amendment would give us the opportunity to engage with that community to understand what people would want and need out of an inspection system, if it were to be created.

One of the ideas behind our inspection system is that it is about supporting our education establishments to improve the quality of learning and teaching. I would be interested in us undertaking an exercise to learn from home educators what support they need to improve the quality of learning and teaching in their homes.

However, as I said, I am open to different approaches, if the Government has them. I would be keen to hear from the cabinet secretary before deciding whether to press any of my amendments to a vote.

I move amendment 204.

The Presiding Officer: Members will note that, although the previous time limit was extended by 30 minutes, we will shortly reach the next time limit, and we still have further debate. As a consequence, I am minded to accept a motion without notice to propose that the last sentence of rule 9.8.5A of standing orders be suspended. I would be grateful if the Minister for Parliamentary Business moved such a motion.

Motion moved,

That the last sentence of Rule 9.8.5A be suspended.—
[*Jamie Hepburn*]

Motion agreed to.

The Presiding Officer: Under rule 9.8.5A of standing orders, I am minded to accept a motion without notice to propose that the time limit be extended by 30 minutes. I ask the minister to propose such a motion.

Motion moved,

That, under Rule 9.8.5A, the time limit for groups 14 to 16 be extended by up to 30 minutes.—[*Jamie Hepburn*]

Motion agreed to.

Roz McCall (Mid Scotland and Fife) (Con): I will speak only to my amendment 206. Childminding provision in Scotland is currently insufficient to ensure adequate accommodation for children who are eligible for the early years offering. The number of childminding professionals has almost halved. A massive part of the issue is the increased regulation requirements that were brought by the early years roll-out of 1,140 hours of childcare and the corresponding costs and paperwork for the profession.

21:30

I accept that the needs of children must be at the centre of our processes, but that has to be balanced by the staff to ensure their safety and care, and the system needs to provide that balance. Amendment 206 would streamline the inspection regime for childminders. Currently, childminders who are registered with the Care

Inspectorate can also be subject to separate inspections by Education Scotland. That can result in duplicated inspections, which places an unnecessary regulatory burden on childminders, many of whom are sole operators or small businesses.

My amendment would require the Scottish ministers to make regulations to change the routine duplication of inspections by the Care Inspectorate and Education Scotland. If a childminder had already been inspected by the Care Inspectorate for educational provision, the chief inspector would not conduct a separate inspection unless certain parameters were met.

Martin Whitfield: I thank Roz McCall for lodging the amendment, because childminders are facing a significant challenge of, in effect, a duplicate inspection system where, on so many occasions, from the experiences that have been reported to me, there is no connectivity between the two inspections. If there was connectivity and joined-up thinking, the inspection would be useful for the parents and the childminders and, possibly, it could create an attraction for people to come back into the profession.

Roz McCall: As usual, I cannot disagree with a single word that Martin Whitfield has said. That is exactly the problem that we are facing.

The amendment basically states that, once the Care Inspectorate had done its inspection, the chief inspector would not go back in and do a separate inspection unless certain parameters had been met, which are that it is specifically requested by the Care Inspectorate; there is a significant concern about the educational provision that needs immediate attention; or a joint inspection has been agreed.

Across our early years and childcare sector, childminders play a vital role in offering flexible, nurturing care to thousands of families. Although they are already subject to thorough regulation and inspection by the Care Inspectorate, they often face additional, overlapping inspections from Education Scotland for exactly the same provision. That not only places a disproportionate burden on small, often sole-trader services, but it diverts valuable time and energy from the thing that matters most, which is caring for and educating our youngest children.

This is about good governance; it is about streamlining regulation, reducing unnecessary bureaucracy and showing our childminders that we value the work that they do by respecting their time and their professional judgment. Amendment 206 would ensure that we maintained quality and safeguarding standards while reducing bureaucracy and supporting Scotland's

childminders. I ask members to support the amendment.

Stephen Kerr: Let me begin by extending an olive branch of sorts to Ross Greer because, in lodging his amendments in this group, he has raised a very important subject in the chamber. Although I am not sure that he will press amendment 204 or move his other amendments, he has highlighted an issue on which I share some of his concerns.

I am persuaded by the principle that every child in Scotland, regardless of how or where they are educated, deserves a full, fair and rigorous education, and that that should be extended to those who are educated at home. I am not entirely clear on how exactly that would be done, but I think that it is important that we consult parents who home school their children to understand what their expectations might be of any interventions in this area.

I also point members to my entry in the register of members' interests as a director of the not-for-profit company WhistleblowersUK, which exists to campaign for legislative reform in the area of whistleblowing and to support people who are involved in whistleblowing and need such support.

I say that in anticipation of turning to my amendments 35, 53 and 258, which concern the responsibility that I wish to confer on the chief inspector for creating a secure, independent whistleblowing function in Scottish education. They are not merely procedural amendments but moral propositions that are rooted in justice, integrity and the protection of the public interest.

The ability to raise concerns safely, independently and without fear of retaliation is fundamental to any healthy public service—in fact, it is fundamental to any healthy organisation of any type. However, in too many parts of our education system, that culture of openness is absent. At present, Education Scotland offers no formal independent route by which professionals can report concerns about misconduct, malpractice or systemic failure, and those avenues that exist are typically internal, often obscure and sometimes tainted by conflicts of interest. That is a glaring failure of governance, and I believe that it puts our children at risk.

My amendments would place the responsibility for a secure, independent and transparent whistleblowing function in the hands of the chief inspector. That is the only sensible place, in my view, for it to reside, because the chief inspector must be an independent actor who is free from the entanglements of local authority management or, indeed, the Government interference that I spoke of earlier. They must be the safe harbour for

professionals whose conscience will not allow them to remain silent.

As this is whistleblowing awareness week, it is appropriate that I should have the opportunity to say that whistleblowing is, as I hope that all members would agree, not a fringe issue, but is central to safeguarding professional ethics and public trust. We have already seen—most starkly in the Eljamel case in NHS Tayside—what happens when fear, silence and bureaucratic inertia are allowed to take root. We must not allow the same rot to fester in Scottish education.

Martin Whitfield: Stephen Kerr will know that I fully support the principles of whistleblowing and have done so for a long time. However, rather than reiterate what I discussed with him at stage 2, I simply note that I still have concerns about his amendments, because education is not like the NHS. It is a different environment, and a different group makes up the jigsaw of it. As much as I agree that a whistleblowing entity is necessary, I say to Stephen Kerr, with the greatest respect, that I am not sure that the process for which his amendments provides is it.

Stephen Kerr: I appreciate Martin Whitfield's intervention and I understand his concerns. We have discussed the issue not only formally but informally. However, in these stage 3 amendment proceedings, I am trying to raise the point that whistleblowing needs to be taken far more seriously. I have lodged amendments that I believe would meet an immediate need, which is to tackle a certain culture that we would, in all honesty and candour, accept exists in Scottish education. We need teachers and school leaders to feel completely free to voice their concerns as they see them. At the minute, I do not think that such a culture exists. I speak to enough school leaders, headteachers and teachers—as I am sure that Martin Whitfield does—to know that that is a genuine concern.

Amendment 35 would establish a formal process that would be accessible, widely publicised and governed by best practice in public interest disclosure. It would be wholly distinct from any employer's internal grievance procedures. We are not talking about those. That separation is vital because, in too many cases, the employer can be the source of the problem. The process would affirm the right of teachers, support staff, administrators and even—in some contexts—pupils to raise their voices when something is going wrong as they see it. That would say to our education workforce that their integrity is valued, that their concerns will be heard, and that their careers will not be sacrificed for doing the right thing.

Amendment 53 would strengthen the framework by requiring the chief inspector to publish an

annual report to Parliament detailing the number and type of concerns raised, investigations conducted and recommendations made. Such transparency is essential for accountability, and it would give Parliament and the public the means to scrutinise whether the system is working.

A functioning whistleblowing framework would do four vital things: it would protect learners by ensuring that safeguarding concerns were acted upon; it would support ethical leadership; it would retain principled professionals; and it would promote early institutional learning before problems escalated into scandal.

Such a framework would also address an uncomfortable but urgent fact—the fact that many of those who are most at risk when whistleblowing protections are absent are women. The Scottish education workforce is majority female, and it is female teachers who are disproportionately subjected to disrespect, aggression and violence in the classroom, often without institutional protection or recourse.

I am sure that we all know from our engagement with teachers that, when incidents have occurred in certain schools in some parts of Scotland, teachers have been actively discouraged from reporting. They have been asked to consider their professional reputation, the reputation of the school and so forth. That is not acceptable.

My amendments in this group—this relates to Martin Whitfield's point—are modelled in part on the independent national whistleblowing officer that was created for the NHS in Scotland. That role has shown that it is entirely feasible to have a small, independent office that ensures that complaints are handled fairly, safely and outside the management chain. There is no good reason why the education workforce should be afforded any less protection than NHS staff.

Let us be absolutely clear: whistleblowing saves systems from failure. It is a means of protecting the public interest and of ensuring that the best interests of pupils, parents and the wider public are safeguarded at all times. That is particularly vital in education, because schools are closed environments, power is hierarchical and cultures can become toxic. When issues arise, whether through mismanagement, safeguarding failures, curriculum malpractice or the bullying of staff or pupils, too often the instinct is to deny, deflect or retaliate. If we are serious about creating a world-class education system—one that is grounded in safety, ethics and trust—we must begin by protecting those who protect the truth. That is what my amendments would do.

Let me also reflect on the wider benefits that a well-functioning whistleblowing framework can bring. First, the existence of such a framework

improves learner safety. When staff feel safe to raise safeguarding concerns, the entire system becomes more responsive. Children are better protected, risks are identified earlier and lessons are learned more quickly.

Secondly, such a framework strengthens leadership. When leaders know that staff have recourse to independent oversight, they are more likely to lead ethically, transparently and responsibly. The very existence of whistleblowing protection acts as a preventative force against abuse of power.

Thirdly, such a framework improves staff retention. Talented professionals who are committed to doing the right thing will remain in the sector if they believe that ethical conduct is supported, not punished. It creates a culture where good people want to stay.

Fourthly, such a framework supports organisational learning. Whistleblowing is often the first signal that something in the system is going wrong. If that signal is silenced, the institution continues to drift. If it is heard and acted upon, the institution can change before failure becomes inevitable. Early warning leads to early action.

Most importantly, such a framework upholds the principle that public institutions must serve the public good. Education is not a private matter; it is a public service. The rights and wellbeing of learners, the trust of families and the integrity of national policy are all bound up with how we handle internal dissent. We must build a culture that says that telling the truth matters, that standing up for children matters and that calling out failure is a form of care.

I genuinely believe that the cabinet secretary understands—I certainly hope that she does—what my amendments are intended to do. There is a cultural problem in the education sector. I urge members to support my amendments, not simply as policy, but as a statement of our values: that truth matters, that courage is to be honoured and that Scottish education must be accountable from the inside out.

21:45

Miles Briggs: I am not sure whether it is good or bad that it takes Parliament to sit until a quarter to 10 just for Ross Greer and Stephen Kerr to find some agreement and common ground, but that may be an achievement for this evening.

I offer my support for Roz McCall's amendment 206.

I express concern about Ross Greer's amendment 205, however, because I think that there has been no consultation on his proposals—a point that Jackie Dunbar rightly tried to make. In

addition, I am not sure how the chief inspector would take forward an inspection regime with the home education community, as that has not been consulted on. I welcome what Ross Greer is trying to achieve through amendment 205 and the potential for future consideration in that respect, but Scottish Conservatives do not support his amendments as a group.

I have brought back my amendment 200 from stage 2. It relates to petition PE1979, which is currently going through Parliament, and it would allow Scottish ministers to set out further detail by regulations, including how inspections should address safeguarding, how complaints could be made to the chief inspector and what actions the inspector would be able to take in response. It contains an important change, which I hope that the cabinet secretary has considered beyond stage 2, because I believe that we need a system across education and children's services that looks at complaints that are made in relation to child protection and safeguarding functions.

I look forward to hearing what the cabinet secretary has to say before I decide whether to move my amendment, as I would like to know whether the Government will take the matter forward in improved guidance. That is important for the petitioners, who are still pushing for the wider change that they hope to see.

Pam Duncan-Glancy: Scottish Labour members support Miles Briggs's amendment 210. Does he agree that safeguarding is a crucial function of the inspector and that putting that in the text of the bill while also providing that details can be sorted out in regulation would achieve a good balance? It would provide for setting out the detail and engaging the people who are required to be consulted on that, but it would also put in legislation that safeguarding is an important function of our inspectorate in Scotland.

Miles Briggs: I totally agree, which was why I wanted to bring the amendment back at stage 3. I had hoped for more engagement from the Government on a workable amendment of its own, but, as that did not happen, I have brought my amendment back. I hope that, if it is not agreed to, we will have a commitment for guidance on the matter. The work that many campaigners across the parties are taking forward in this area is important. The issue may not sit specifically in this bill, but I hope that it will be considered in the next session of Parliament.

Stephen Kerr's amendments may also be considered if there is an opportunity to address whistleblowing more widely. Given that we have implemented a whistleblowing policy for the national health service, I am not quite sure why we would not have one for education and children's services. I think that there is an opportunity to

address that—if not in this bill, then in the next session of Parliament.

Jenny Gilruth: I will speak first to amendments 204, 205, 221 and 257, in the name of Ross Greer, which relate to the inspection of home education.

Members will recall that, earlier this year, we published updated home education guidance for local authorities, parents and carers, updating and setting out their roles and responsibilities in relation to home education. Before that updated guidance was published, it underwent substantive consultation with the broader home education sector, and I am mindful of that in responding to Ross Greer's points.

That being said, given that we have only just published the new guidance, I can see an argument for continuing to monitor and evaluate its implementation. We should be careful not to limit the scope of any future work related to educational aspects of home education, and having the full involvement of stakeholders, which I spoke about, will be important in that regard. I propose, therefore, that Ross Greer withdraw his amendments in this group on the basis of my commitment that we will commence a review of the current arrangements before the end of the current session of Parliament, so that we can be assured that the arrangements for home education provide sufficient support. I will ask HMIE and relevant partners to be part of that work if that would appease Mr Greer.

I turn next to Roz McCall's amendment 206. Although I understand the sentiment on streamlining the inspection of childminding services, I do not think that it would be appropriate at this point to take her proposal forward in legislation. Nevertheless, I want to give her some reassurance. In January this year, interim chief inspector Janie McManus set out that there were no plans for HM inspectors to inspect childminders, despite their ability to do so. As part of developing the new shared inspection framework for early learning and childcare with the Care Inspectorate, both inspectorates have agreed that the Care Inspectorate will continue to inspect childminders, and I understand that childminding stakeholders are reassured by that public statement from HMIE, which is welcome.

I urge members to reject amendment 206, but I reiterate that there is no intention that the inspectorate will inspect childminding settings. Roz McCall will also be aware of the shared inspection framework that has been developed with both organisations in relation to some of the recommendations in Professor Muir's report. As she will be aware, the non-legislative work to streamline the inspection of early learning and childcare, school-age childcare and childminding

services between HMIE and the Care Inspectorate is progressing. Although we will continue to listen carefully to feedback from the sector, I continue to believe that that is the right approach.

I now turn to Stephen Kerr's amendments on whistleblowing and Miles Briggs's amendments on child protection. I take both of those issues extremely seriously. Later, I will talk about a number of the ways in which I think that their points can be addressed, but I am unable to support the amendments. On Mr Kerr's amendments 35 and 53, as I previously set out at the Education, Children and Young People Committee during stage 2, I am specifically concerned that the employment-related provisions, which include a whistleblower function for the chief inspector, would not be within the legislative competence of the Scottish Parliament, which would risk the bill being unable to become law. Further, as is detailed in a letter to me from Universities Scotland, Mr Kerr's amendments would cut across existing mechanisms in the higher education sector. Those exist most notably in universities, where well-established and robust whistleblower mechanisms are already available to ITE students on the same basis as they are available to all other students and staff.

The scope of the amendments would also risk cutting across the Scottish Public Services Ombudsman's statutory remit, which, in broad terms, relates to maladministration and service failure. Resource would be a relevant factor, and we have discussed that in relation to a number of amendments. I take the member's point about culture, which we have discussed at length, and I am sympathetic to the other points that he has raised, but I think that there are technical challenges with the amendment as it is drafted.

Let me move to Mr Briggs's amendment 210, on child protection and safeguarding. As I stated at stage 2, I have every sympathy with his intentions. We already have agencies with clear responsibilities for the enforcement of child protection measures, particularly Police Scotland and local authority children and families social work services. Giving the chief inspector an enforcement function would risk complicating that landscape and could have unintended consequences. For example, child protection guidance is clear that any concerns about a child's safety or wellbeing should be reported to the police or social work services, who have powers to make interventions as needed. If the chief inspector were also to have a role, there would be a risk of reports potentially going to them initially instead. Those reports would need to be passed on to the police or social work services, which, ultimately would slow things down and potentially increase the risk for children.

As was noted at stage 2, the matters that we are considering around safeguarding, concerns of various kinds, complaints and related areas are complex, and there are a range of interlocking statutory roles. Any potential change should be the subject of extensive consultation, given the potential for significant unforeseen implications. Concerns have been shared by the office of the chief social work adviser, which has questioned the potential interface with the role of chief social work officers, who already hold statutory responsibilities in our local authorities, as well as with the role of the Care Inspectorate, particularly for educational establishments that are also care establishments.

In summary, I stress again that, although I do not see the bill as being the vehicle to achieve what is proposed, we need to collectively consider the important issues that have been raised by Mr Kerr and Mr Briggs. I therefore give an undertaking that, outwith the confines of the bill, I am committed to doing exactly that with both members.

Additionally, during stage 2, I undertook that I would explore those matters further and that I would engage with the Convention of Scottish Local Authorities, in particular, being mindful of its statutory responsibilities. I wrote to COSLA on 13 June to propose that the matter be discussed at the next meeting of the education and childcare assurance board. I will also ensure that GTC Scotland is included, so that issues arising from its current review of the fitness to teach assessment can also be considered. I know that Mr Rennie, as well as a number of other members, are interested in that and view it as being particularly important.

The Presiding Officer: I call Ross Greer to wind up and to press or withdraw amendment 204.

Ross Greer: I thank the cabinet secretary and I absolutely agree that the review that she has committed to, which I welcome, should not be limited to the educational aspects of home schooling and that issues such as safeguarding should be considered.

For the reasons that I outlined to Martin Whitfield, I am not at all convinced that all councils in Scotland are providing adequate support to families who have made that choice. I point to the bill that the new Labour Government has introduced in England, which places a stronger duty on education authorities to provide that support. I think that that is a route that we should consider here, in Scotland, and that a review would absolutely be the right first course of action.

Given that the cabinet secretary has committed to beginning that review before the end of this session of Parliament, I am happy to withdraw

amendment 204 and not to press my other amendments in the group.

Amendment 204, by agreement, withdrawn.

The Presiding Officer: At this point, I am minded to suspend proceedings for five minutes, and I would be grateful if business managers would come and meet me at the front of the chamber.

21:55

Meeting suspended.

22:00

On resuming—

The Presiding Officer: That concludes stage 3 proceedings on the Education (Scotland) Bill for today. Stage 3 proceedings will continue tomorrow with group 16.

Decision Time

22:00

The Presiding Officer: As there are no decisions to be taken, I close the meeting.

Meeting closed at 22:00.

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