

PE2103/A: Legislate to standardise the prescribed learning hours for Primary and Secondary schools in Scotland

Cabinet Secretary for Education and Skills submission of 26 June 2024

Thank you for writing to the Scottish Government, seeking its view of PE2103 – legislating to standardise learning hours for primary and secondary schools in Scotland. I note that this petition urges the Scottish government to standardise the prescribed learning hours for primary and secondary establishments across all local authorities in Scotland.

The issue of learning hours is one that Scottish Government officials and I have been alive to for some time, including my predecessor Shirley-Anne Somerville MSP who noted in 2023 that any changes to the school week must be based on educational benefit to pupils. I am aware of the issues being raised in Falkirk and have received a significant volume of correspondence from parents and carers who are deeply concerned with these proposals. I will be writing to the Council reminding them of the importance of the number of hours children learn in school and its relation to pupil attainment and wellbeing.

I wish to emphasise the Scottish Government does not support any reduction of learning hours in any local authority. I made this clear in a letter to all local authorities in February this year where I reiterated my concern that some local authorities were considering reducing learning hours and was clear that this would not be acceptable.

I also wish to stress that local authorities have responsibility for the delivery of education services in their area, including the number of hours of learning children and young people receive. There are of course legislative parameters within which local authorities must operate. Specifically, under the Schools General (Scotland) Regulations 1975, local authorities must provide 190 days of schooling per year. Within this, local authorities have discretion over the length of the school day and can vary these as they wish to meet local needs. For example, some local authorities choose to operate a half day on a Friday. It is therefore important to note that the specific number of learning hours and any differences between those that apply to different age ranges of children is therefore a matter of local authority discretion.

The Scottish Government is committed to protecting the levels of learning hours currently made available in Scottish schools. Ministers are keen to come to an agreement with local government on the provision of learning hours to ensure no reductions to current provision, as well as equity in the number of learning hours pupils across Scotland receive in the long term.

If no agreement is reached, Ministers remain open to taking steps towards utilising the powers in the Education (Scotland) Act 1980 to prescribe in the regulations the number of hours made available.

The Committee will be aware that we commenced the Learning Hours powers within the Education (Scotland) Act 2016 in March 2023. Shortly after consulting on prescribing in regulations an annual minimum number of learning hours that must be provided in schools.

We are now carefully considering the large number of responses (c500) that were received. We intend to publish our analysis of the consultation responses on the Scottish

Government's website in due course and engage further with stakeholders, including COSLA, on next steps.

I hope the Committee finds this letter helpful in setting out the Scottish Government's position on prescribing a standard level of learning hours for primary and secondary schools in Scotland.

Yours sincerely,

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