

Citizen Participation and Public Petitions Committee  
Wednesday 9 October 2024  
15th Meeting, 2024 (Session 6)

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

### Introduction

**Petitioner** Dr Julie Badcock

**Petition summary** Calling on the Scottish Parliament to urge the Scottish Government to standardise the prescribed learning hours for Primary and Secondary establishments across all local authorities in Scotland.

**Webpage** <https://petitions.parliament.scot/petitions/PE2103>

1. This is a new petition that was lodged on 29 May 2024.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 2,454 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received a submission from the Cabinet Secretary for Education and Skills which is set out in **Annexe C** of this paper.

### Action

7. The Committee is invited to consider what action it wishes to take.

**Clerks to the Committee**  
**October 2024**

## **Annexe A: Summary of petition**

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

#### **Petitioner**

Dr Julie Badcock

#### **Date Lodged**

29 May 2024

#### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to standardise the prescribed learning hours for Primary and Secondary establishments across all local authorities in Scotland.

#### **Background information**

Falkirk Council are seeking to plug a £65m deficit in their accounts over the next 5 years. They have allocated a significant proportion of the required savings, £40m, to Children's Services and are proposing to finish the school week at 12:30 on Fridays to achieve £5.751m of this. However, this requires a reduction of school hours from 25 to 22.5 hours per week for Primary children and from 26.6 to 24.75 hours per week for Secondary education. This is 10% less than every other Primary school in Scotland, putting the children of Falkirk at a significant disadvantage compared to their peers. Over the course of a child's formal education in a Falkirk school they would receive 52 weeks less teacher contact time, more than an entire academic year, and yet will be expected to achieve the same standards of grades.

Alongside the hugely detrimental effect on our children's education, working families will suffer as hours, and thus family income, will have to be cut to accommodate this change.

## Annexe B: SPICe briefing on PE2103



### Brief overview of issues raised by the petition

Local authorities must ensure that, barring circumstances outwith their control, their schools are open a minimum of 190 days a year.<sup>1</sup> The length of the day and the total number of learning hours is a matter for each local authority.

The Education (Scotland) Act 2016 inserted [section 2ZA into the Education \(Scotland\) Act 1980](#), which allows Ministers to make regulations which would set the minimum number of learning hours each pupil should receive.

In 2023, the Scottish Government consulted on using these powers to [prescribe the minimum annual number of learning hours](#). The foreword to the consultation by the then Cabinet Secretary for Education and Skills, Shirley-Anne Somerville MSP, said—

“The school week is the backbone of our education provision and benefits all our children and young people. The Scottish Government is clear that any changes to the school week must be based on educational benefit to pupils. Any measures that materially reduced the number of hours children spend learning in school would be expected to reduce pupil attainment and wellbeing and undermine efforts to close the poverty related attainment gap.

“To protect this vital provision for children and young people, I am bringing into force the existing provisions in the Education (Scotland) Act 2016 which will enable Scottish Ministers to set the minimum number of learning hours in a school year and propose to use this power to make regulations later this year.”

Prior to the consultation the Government had gathered information from local authorities about the current provision of learning hours. The Consultation stated—

“Learning hours are the period of teaching that learners receive within the school day. In most cases, they do not include lunch and other break times or extracurricular activities or provision such as breakfast clubs that may take place around the core school day. ... Generally, primary schools offer 25 hours in a typical school week, though in a small number of authorities shorter

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<sup>1</sup> Schools General (Scotland) Regulations 1975, as amended by The Schools General (Scotland) Amendment Regulations 1987

learning hours, usually 22.5 hours, are offered to their youngest pupils, either those in P1 and P2 or in P1 to P3. And generally secondary schools in most local authority areas offer 27.5 hours in a typical school week.”

The consultation closed in June 2023. The Scottish Government has not yet set out what its next steps will be following the consultation. In answer to [a parliamentary question in December 2023](#), the Government said it “will publish our analysis of the consultation and engage further with stakeholders, including COSLA, on next steps in due course.”

Falkirk Council is [consulting on a proposal to reduce the school week to 22 hours 30 minutes for primary schools and 24 hours 45 minutes in secondary schools from 2025](#). Falkirk Council’s proposals are explicitly linked to financial pressures. [In May 2024, the Government responded to a question](#) in relation to Falkirk Council’s proposals; it said—

“The Scottish Government is clear that any cuts to learning hours are not acceptable. Scottish Ministers remain keen to come to an agreement with local government on the provision of learning hours in local authority schools. If no agreement is reached Scottish Ministers will take steps to ensure learning hours are protected, including considering the use of regulatory powers.”

4/6/2024

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at [spice@parliament.scot](mailto:spice@parliament.scot)

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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## **Annexe C: Written submission**

### **Cabinet Secretary for Education and Skills submission of 26 June 2024**

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

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,

**JENNY GILRUTH**