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**Enclosure 01 – PDF – Text of letter from the Cabinet Secretary for Education and Skills to Councillor Tony Buchanan, Children and Young People Spokesperson, CoSLA**

cc. Cllr Morrison, COSLA President  
Cllr Hagmann, COSLA Resources Spokesperson  
Jane O'Donnell, COSLA CEO  
LA CEOs  
LA Directors of Education  
LA Directors of Finance

12 February 2024

Dear Cllr Buchanan,

This government's vision for education in Scotland remains to deliver excellence and equity for all. That principle must be central to all of our thinking. As I have said before, a key element of that is to ensure there is no reduction in the fundamentals of education delivery, including the number of teachers and the amount of time children spend learning in schools.

### **Teacher Numbers**

You will be aware of previous correspondence that set out the conditions attached to the additional £145.5m funding that is allocated to local authorities in 2023-24 to protect teacher numbers, with the key measure being maintaining teacher numbers at 2022 census levels. That correspondence was clear that, in the event of the conditions not being met, the Scottish Government reserved the right to recover or withhold relevant monies allocated to individual authorities for these purposes.

Following December's publication of the Summary Statistics for Schools in Scotland 2023, which showed a reduction in teacher numbers nationally, we have been in contact with the local authorities that saw a reduction in teacher numbers to establish the circumstances behind those reductions and to assess whether any funding should be withheld.

As indicated in Sam Anson's letter of 12 December to councils, we were clear that we intended to be fair and balanced in making these decisions and, in assessing whether our conditions have been met, we would consider any mitigating circumstances that individual councils may wish to put forward.

I remain extremely disappointed by the reduction in teachers this year. It will be more difficult to reach our shared goal to close the poverty related attainment gap nor improve outcomes with fewer teachers in our schools. December's PISA results are a salient reminder to us all that we can not be complacent. I also believe we need that capacity to help us achieve aspirations regarding behaviour, attendance and a reduction in class contact time.

Notwithstanding, I do not believe that it will be in the best interests of school pupils for us to withhold funding at this stage in the financial year. As I have stated,

decisions must be guided by our ambitions for excellence and equity, and I do not wish to create a risk of services having to be withdrawn at short notice due to action taken on staffing by a local authority.

I do believe that it is essential that all funding that is allocated supports the outcomes it is provided for, however, and moving forward into 2024-25 I expect teacher numbers to be protected by councils. Under the current provisions, we have witnessed two successive years of falls in relation to teacher numbers. In this context, it is clear to me that the status quo is not sustainable.

Next year's allocation of additional funding for teacher numbers of £145.5m will, therefore, be distributed via Specific Resource Grants, and those grants will be conditional on councils agreeing at the outset to maintain teacher numbers. Taking this approach reflects our longstanding commitment to protecting teacher numbers, which is in the best interests of our children and young people.

My officials will be in touch with individual councils to agree grant conditions, including the number of teachers I expect to be maintained. For those councils where numbers did fall, that may include a return towards 2022 levels where we have not fully accepted the mitigations presented.

## **Learning Hours**

The school week is the backbone of our education provision and benefits all our children and young people. 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. The Scottish Government therefore consulted on regulations to specify the minimum number of learning hours in 2023. That consultation has now closed and we expect to publish the analysis of those responses shortly.

I remain committed to protecting the levels of learning hours currently made available in Scottish schools and in the longer term to achieve equity in the number of learning hours pupils across Scotland receive. It is extremely concerning that some local authorities have proposed cuts to the level of learning hours as part of their 24-25 budget consultations. I am clear that this would not be acceptable.

To reflect the change in context of the Verity House agreement, since the initial consideration of regulations in this space a draft voluntary agreement was proposed in January that committed to maintaining learning hours at their current level across all Local Authorities in 24-25 and recognised the Scottish Government's longer term ambition toward equity.

It was regrettable that the draft agreement could not be accepted by COSLA Leaders at that point. I remain keen to come to an agreement with local government on the provision of learning hours in local authority schools and would ask that the previous agreement is reconsidered urgently.

However, in the continued absence of an agreement to protect time in school and children's learning and development I will need to take steps towards utilising the

powers in the Education (Scotland) Act 1980 to prescribe in the regulations the number of hours made available. I am hopeful that the decision not to withhold teacher number funding helps to unblock this issue, thereby allowing us to proceed without regulation. However, I should make clear my intention to proceed with regulations, should no voluntary agreement be reached.

Finally, Education Reform should be an opportunity for Government and COSLA to engage meaningfully on driving the improvements we need to see in Scotland's schools to support our young people. I sincerely hope that sentiment is shared by COSLA and I look forward to further engagement on this issue in the weeks and months to come.

**Enclosure 02 – PDF – Text of letter from the Cabinet Secretary for Education and Skills to Councillors Tony Buchanan, Children and Young People Spokesperson, and Katie Hagmann, Resources Spokesperson, CoSLA**

29 May 2024

Thank you for your letter of 30 April to myself and the former Deputy First Minister in which you communicate the concerns raised by COSLA Leaders on 26 April, around the teacher numbers grant letters and the long-term challenges faced by councils in maintaining teacher numbers.

I have listened to and understand the concerns that Leaders have raised. I think it is important to clarify that the Scottish Government remains fundamentally determined to maintain teacher numbers in order to support children's education, and we hope this would be an outcome that our local government partners would share.

The Scottish Government's Budget 24/25, which was passed by the Scottish Parliament on 27 February, states that:

*"We will continue to provide £145.5 million to local authorities to maintain teachers in the system and enable councils to offer permanent contracts to our education workforce."*

The grant letters issued on 5 April reflected this decision of the Scottish Parliament. On 15 May, the Scottish Parliament also passed a motion noting its concern at "reported plans to cut teacher posts in a number of local authorities." I want to ensure that councils can continue to benefit from this significant additional funding in order to protect teacher numbers and to support our children's education, and I very much hope that all councils will accept our grant offer for this year.

Notwithstanding this, we too are keen to progress this in a way in which everybody can accept. We recognise that councils have requested greater transparency around some technical issues that will provide them with the assurances they require to be able to accept the grant offer. We have listened to these concerns and are happy to address some of the technical issues that have been raised.

I can therefore confirm that, in the event of teacher numbers not being maintained, and where mitigations are not fully accepted, funding will only be withheld from councils on a 'per FTE' basis. I hope this will provide reassurance that the risk of losing the totality of the additional funding for a small reduction in teacher numbers, which I know some councils have been concerned about, is removed.

I can also provide additional clarity regarding the mitigating factors that will be taken into account when assessing whether councils have met the conditions of our grant. I can confirm that in assessing council returns the following factors will be taken into account:

- Reductions in aggregate Scottish Attainment Challenge funding (which may be due to the tapered approach between 2022/23 and 2025/26 to the phasing out of Challenge Authorities).

- Reductions in School Teaching Staff and Education Recovery GAE in 2024/25 which reflect changes to the council's pupil roll.

I wish to continue to take a fair and balanced approach to this process, and I am conscious that there will also be a limited number of exceptional circumstances at a local level that will impact on councils' ability to maintain teacher numbers. By definition, these are more difficult to specify at this stage. Therefore, in making our assessments we will also continue to consider all reasonable additional mitigations that are put forward, on a case by case basis, and hold discussions with any council where we feel more detail is required, after the teacher census data is published in December.

Ultimately, funding will be withheld where we do not think these additional mitigations are reasonable, but we will discuss this with any council in such a position so that we fully understand the circumstances before arriving at a decision.

I have discussed this with the First Minister, and have instructed my officials to issue revised grant offer letters to all councils very shortly. We hope that this will provide councils with the assurances they require to be able to accept the grant offer.

I think it is important to clarify that no payments will be made to individual councils until they have accepted our grant conditions. Where councils do not accept these conditions, they will not therefore meet the terms of the grant and will not receive their share of this additional funding. To provide the payments in advance risks an additional administrative burden for both councils and the Scottish Government of clawing back the funding should the conditions of the grant not be accepted – that is not a position I would support.

Finally, on the issue of establishing joint work to support improved workforce planning, I am happy to support this suggestion. The natural home for this work would be the Education Assurance Board (EAB), which is yet to be established.

I hope we can shortly move forward on the next steps with the EAB, to support Local Authorities and the work of Scottish Government in improving outcomes for our young people.

**Enclosure 03 – PDF – Text of letter from Councillors Tony Buchanan, Children and Young People Spokesperson, and Katie Hagmann, Resources Spokesperson, CoSLA to the Cabinet Secretary for Education and Skills**

4 June 2024

Jenny Gilruth MSP - Cabinet Secretary for Education and Skills

Scottish Government  
St Andrews House  
EDINBURGH  
EH1 3DG

Via Email - CabSecforES@gov.scot

Dear Jenny,

Thank you for your letter of 29 May 2024 and the continued dialogue between the Scottish Government and COSLA which has been constructive with progress being made towards a resolution that works for us all.

On Friday, COSLA Leaders considered a report on this issue and your letter. The view of Leaders was that the movement demonstrated in the letter was welcomed, with the recognition that there is the ability for discussions around mitigations.

However, until those discussions are able to take place, and agreement reached, it may not be possible for all Councils to commit to signing the grant letter. It would therefore be important that those discussions take place prior to agreement on the signing of the grant letters.

Additionally, we have been mandated to seek assurance from the Scottish Government that there will be specific mitigations in respect of those Local Authorities that have used specific funding, for example, COVID recovery monies, to fund additional temporary teacher posts and that mitigations are consistent across all Local Authorities.

It is also important to highlight that Leaders reasserted the principle that it should be for Local Authorities in conjunction with school leaders to determine the appropriate teacher numbers within their schools.

Therefore, Council Leaders have asked that we, on their behalf, press the Scottish Government for this funding to be consolidated within the general revenue grant in future years in line with the principles of the Verity House Agreement on the reduction of ring fencing. They also asked that all sanctions associated with this funding should be removed.

COSLA officers have also been mandated to work with stakeholders to initiate further discussions on workforce planning.

While we recognise this is a complex situation, we remain committed to work with Scottish Government to find an ongoing solution which enables all our children and young people to achieve the best possible outcomes.



**Enclosure 04 – PDF – Text of letter from the Cabinet Secretary for Education and Skills to Councillors Tony Buchanan, Children and Young People Spokesperson, and Katie Hagmann, Resources Spokesperson, CoSLA**

5 June 2024

Dear Cllrs Buchanan and Hagmann

Thank you for your letter of 4 June in which you communicate the views of COSLA Leaders on my letter to you of 29 May. As you are aware, my overarching priority on this issue is to maintain teacher numbers in the interests of children and young people, and in this context I am grateful that COSLA Leaders have taken the time to give this issue further detailed consideration, and I acknowledge the points they have raised.

I welcome Leaders' position on the additional detail on mitigations that I indicated in my letter of 29 May. We have already received a number of grant acceptances from councils, and I hope this clarity on the grant conditions will provide the assurances that all councils require to be able to accept the offer of grant. The offer of the additional funding remains on the table for those councils yet to return their signed grant letter by the deadline of 13 June.

In relation to your point on discussions around mitigations, as set out my letter of 29 May, we will consider all reasonable mitigations that are put to us, on a case by case basis, and we are happy to hold discussions with any council where we feel more detail is required, after the results of the teacher census are known in December.

While I am content for my officials to speak to councils in the meantime, about general principles for potential mitigations, especially if it enables them to sign the grant letter, I should be clear that we will not be in a position to agree any adjustments to the number of teachers we expect councils to maintain as part of this process. I am sure you will understand that this would run counter to my position, and the views of the Scottish Parliament. However, as I have stated above, we will consider all reasonable mitigations that are put to us and hold discussions with councils where this is necessary, in the context of the teacher census data for each council, when this is published in December

I feel it is important to clarify a key point from my 29 May letter, that no payments will be made to individual councils unless they have accepted the grant conditions, and where councils do not accept these conditions they will not receive their share of this funding.

Leaders have asked that there are mitigations in respect of councils that have used specific funding, for example COVID recovery monies, to fund additional temporary teacher posts. I think it is important to point out that the £145.5m includes a continuation of additional funding that was provided during the pandemic so this would not be a mitigation that we could accept. But, as I have said, we will consider all reasonable mitigations that are put to us on a case by case basis.

I note the request by Leaders that this funding is consolidated into the General Revenue Grant for future years. While this will need to be considered as part of 2025-26 budget deliberations, I would reiterate the point that I remain fundamentally determined to maintain teacher numbers in order to support children's education.

You will be aware that local authorities already receive £88 million per year in the General Revenue Grant to (i) maintain teacher numbers and (ii) provide places on the Teacher Induction Scheme for all probationers who need one (noting that £37 million is held back as undistributed funding for this specific purpose). Alongside that, we are providing £242m to support teachers' pay deals in this year's budget, demonstrating the extent to which we are committed to investing in the education workforce through our local government partners.

I welcome your commitment to taking forward further discussions on workforce planning and will ask my officials to initiate discussions with COSLA officers.

**Enclosure 05 – PDF – Text of letter from Councillor Tony Buchanan, Children and Young People Spokesperson, CoSLA to the Cabinet Secretary for Education and Skills**

10th June 2024

Jenny Gilruth MSP - Cabinet Secretary for Education and Skills

Scottish Government  
St Andrews House  
EDINBURGH  
EH1 3DG  
Via Email - CabSecforES@gov.scot

Dear Jenny,

Thank you for your letter of 5<sup>th</sup> June.

I would be grateful if you would extend the deadline for grant letters to be signed, which I understand is 13<sup>th</sup> June, in order to allow for COSLA's Leadership Sounding Board to discuss at their next meeting on 14<sup>th</sup> June. Local authority officers may require a political mandate to progress this and I would not wish for them to be in the situation where they are not able to act due to the short deadline offered.

I believe we can reach agreement given the ongoing dialogue and the fact we all want the right support in place for learners across Scotland to thrive.

**Enclosure 06 – PDF – Text of letter from the Cabinet Secretary for Education and Skills to Councillor Tony Buchanan, Children and Young People Spokesperson, CoSLA**

11 June 2024

Dear Tony,

Thank you for your letter of 10th June. I completely agree that we can reach an agreement that delivers the best outcomes for learners across Scotland – and that it is our duty to do so. As part of this endeavour, I believe that protecting teacher numbers is in the best interests of children and young people.

In your letter you requested an extension to the deadline for grant letters on teacher numbers to be signed. In addition to the issue you raise, I am also aware that some local authorities require some extra time in order to comply with local governance processes to secure approval. In the interest of acting fairly and making real progress on this issue I am therefore content to extend the deadline for responding to **Friday 12 July**.

**Enclosure 07 – Text of letter from the Cabinet Secretary for Education and Skills to Councillors Tony Buchanan, Children and Young People Spokesperson, and Katie Hagmann, Resources Spokesperson, CoSLA**

29 August 2024

Dear Cllrs Buchanan and Hagmann,

I am writing regarding the £145.5 million of funding for the protection of teacher numbers, and to reassure you that I will soon confirm the arrangements for the distribution and allocation of this funding.

I recognise, and share, your desire to reach a mutually acceptable position on this issue – but crucially, this must be one which ensures teacher numbers are protected.

As you know, Parliament passed a budget which included this sum specifically to maintain teacher numbers, and following a debate in Parliament in May it was clear that there continues to be cross-party support for this position.

I must emphasise again that the government is determined to protect teacher numbers and deliver on this policy, which I believe, and Parliament believes, is in the best interests of children and young people. It is clear that the professional associations also wish to maintain teacher numbers given the benefits to children and young people.

I urge councils to maintain teacher numbers for the benefit of children and young people and would ask that any council currently planning to reduce teacher numbers reconsider their position. The Scottish Government's position and expectations around this have been clear since the budget was set out in Parliament in December 2023, and in subsequent correspondence on the issue.