

“Please provide copies of all ministerial submissions, briefings, and advice prepared for the Minister for Children, the Cabinet Secretary for Education & Skills, and/or the Cabinet Secretary for Finance regarding the financial resolution for the Schools (Residential Outdoor Education) (Scotland) Bill between 1 August and 30 September 2025.

This should include any cost estimates, funding options, and recommendations to ministers, but not routine emails, diary invites, or drafts.”

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Document 1: Ministerial Briefing - ROE Bill - Ministerial Meeting w/COSLA Leaders on 6 August 2025 - 4 August 2025

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: Mon 04/08/2025 17:08

To: Minister for Children, Young People and The Promise

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: Ministerial Briefing - ROE Bill - Ministerial Meeting w/COSLA Leaders - 6 August 2025

Minister / PO –

Please find attached **briefing** for your upcoming meeting with COSLA political leaders on Wednesday 6 August, to discuss the Schools (Residential Outdoor Education) (Scotland) Bill. **[Redaction – Out of scope]**.

[Redaction – Out of scope].

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 2: Ministerial Briefing - ROE Bill - Stage 2 - Cross-Portfolio Ministerial Meeting on Financial Resolution Handling on 12 August 2025

From: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>;

Sent: Thu 07/08/2025 13:57

To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: **Cabinet Secretary for Education & Skills 2024** <CabSecES2024@gov.scot>; **Clare Hicks** <Clare.Hicks@gov.scot>; **Lewis Hedge** <Lewis.Hedge@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]@gov.scot**>

Subject: **Ministerial Briefing - ROE Bill - Stage 2 - Cross-Portfolio Ministerial Meeting on Financial Resolution Handling - 12 August 2025**

Minister for Children, Young People & The Promise
Cc'd Cabinet Secretary for Education & Skills

SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL
Briefing: Cross-Portfolio Ministerial Meeting, 12 August

Please find attached briefing for your upcoming cross-portfolio Ministerial meeting at 13:30-14:30 on 12 August to discuss Financial Resolution handling relating to Liz Smith's MSP current Member's Bill on residential outdoor education. Ministers attending include:

- Minister for Children, Young People & The Promise (chair)
- Cabinet Secretary for Finance & Local Government
- Cabinet Secretary for Education & Skills
- Minister for Parliamentary Business

The briefing pack has been developed to enable you to lead discussions as the Minister responsible for shadowing the current Member's Bill, and has been informed by: Curriculum Policy, PLU, SG Finance. Please also note the contents of Annex C has previously been considered and agreed by SpAds.

Officials stand ready to provide any additional information that either yourself and/or the Cabinet Secretary for Education & Skills may find helpful in advance though.

Curriculum policy official support at this meeting will be provided by:

- Clare Hicks (Director, Education Reform); and
- **[Redaction – Section 38(1)(b)]** (Team Leader, LfS & Outdoor Learning)

It is understood that other officials also attending to support discussions will include colleagues from PLU and SG Finance teams.

You are scheduled to meet with Liz Smith MSP in the morning on the same day, for which briefing will be provided shortly as agreed with PO. There is time being held in your diary on 12 August to engage with officials following your morning meeting with the Member in Charge to discuss any potential outputs and implications for handling at the cross-portfolio Ministerial discussion later that day, should this be helpful.

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 3: Briefing - ROE Bill - Stage 2 - Ministerial Meeting w- Liz Smith MSP on 12 August - Ministerial Briefing - Submitted 8 August 2025

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
Sent: Fri 08/08/2025 13:13
To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>
Cc: Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@ gov.scot >; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: Briefing - ROE Bill - Stage 2 - Ministerial Meeting w-Liz Smith MSP 12-8 - Ministerial Briefing - Submitted 8 August 2025

Minister –

Schools (Residential Outdoor Education) (Scotland) Bill: Briefing for Ministerial Meeting w/Liz Smith MSP, 12 August 2025

Please find attached briefing for the above meeting scheduled for 10:00-10:30 on Tuesday 12 August.

Official support will be provided by:

- Clare Hicks (Director, Education Reform)
- [Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)

A pre-meeting slot has been scheduled by PO with officials and SpAds at 09:45 the same day, as required.

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 4: Ministerial Briefing - ROE Bill - Stage 2 - Cross-Portfolio Ministerial Meeting on Financial Resolution Handling on 12 August 2025

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: Mon 11/08/2025 13:02

To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@ gov.scot >; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Ministerial Briefing - ROE Bill - Stage 2 - Cross-Portfolio Ministerial Meeting on Financial Resolution Handling - 12 August 2025

Minister –

In light of the below advice, and further correspondence from COSLA political leaders to you received today (see attached), please note that the briefing for your upcoming cross-portfolio Ministerial meeting on 12 August has been amended to reflect these latest developments, as attached.

The main revisions are:

- At Item 1, Background: insertion of the following text under “COSLA” sub-section:

[Redaction – Section 30(b)(ii)]. COSLA request Ministers confirm Government’s intentions around the Bill by 15 August, to enable consideration of COSLA position in

supporting any next steps at their next Leadership Board meeting on 29 August. Cllr Buchanan and Cllr Hagmann wrote to you on 11 August to this effect.”

- At Item 2, Background: insertion of the following text under “Sensitivities” sub-section:

“Securing COSLA support

As per policy advice submitted by [Redaction – Section 38(1)(b)] on 11 August, timings for confirming a Government position on the Bill via [Redaction – Section 30(b)(i)], and COSLA’s internal governance procedures for determining whether they would support the Government’s intentions, do not align. It would also not be procedurally appropriate for COSLA to be informed of the Government’s formal position prior to Parliament. [Redaction – Section 30(b)(i)].”

- At Annex C, Route Map Immediate actions: insertion of the following caveat [*]:

[Redaction – Section 29(1)(a)]

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 5: RE: Ministerial Briefing - ROE Bill - Stage 2 - Cross-Portfolio Ministerial Meeting on Financial Resolution Handling on 12 August 2025

From:

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

Sent: Mon 11/08/2025 10:30

To: Minister for Children, Young People and The Promise

<MinisterCYPTP@gov.scot>; Kate Higgins <Kate.Higgins@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024

<CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis

Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Ministerial Briefing - ROE Bill - Stage 2 - Cross-Portfolio Ministerial Meeting on Financial Resolution Handling - 12 August 2025

Minister –

Please find below some further updates and policy advice in response to your ask around timelines and handling around an announcement on any alternative policy-based approach, should Ministers agree not to lodge a motion for a Financial Resolution in September. Officials are happy to discuss further with you and SpAds as appropriate in advance of your cross-portfolio Ministerial meeting on 12 August. It is advised that this discussion could take place during the briefing slot at 10:30-11:00 that morning.

COSLA Update

Following your meeting with COSLA political leaders on 6 August, as agreed, officials further met with COSLA and ADES counterparts this morning to discuss handling and next steps. Key points raised include:

- [Redaction – Section 30(b)(ii)];
- [Redaction – Section 30(b)(i)].

Policy Advice

1. Decision timeline and securing local government support

IF PREFERENCE IF NOT TO LODGE MOTION FOR FINANCIAL RESOLUTION, AS OF 12 AUGUST	
Action	Current Planning Assumption
COSLA Leadership Board	29 August
Draft paper submitted to Ministers	19 August
Ministerial clearance of paper for issue	20 August
Paper issued by Secretariat	21 August
Decision confirmed	4 September

Key points to note are:

- [Redaction – Section 30(b)(i)].
- [Redaction – Section 30(b)(i)]

[Redaction – Section 30(b)(i)].

2. Alternative policy-based “route map” approach, budget and wording of any announcement

Key points to note are:

- The proposed policy-based “route map” approach that is set out in your briefing for the cross-portfolio Ministerial meeting (at Annex C) takes account of both:
 - a. [Redaction – Section 30(b)(ii)]; and
 - b. [Redaction – Section 29(1)(b)].
- [Redaction – Section 30(b)(i)].

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 6: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill

From: [Redaction – Section 38(1)(b)] on behalf of Deputy First Minister and Cabinet Secretary for Economy & Gaelic

Sent: 14 August 2025 10:40

To: Clare Hicks; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)];
[Redaction – Section 38(1)(b)]
Cc: Deputy First Minister and Cabinet Secretary for Economy & Gaelic; [Redaction –
Section 38(1)(b)]
Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland)
Bill
Attachments: Letter to Minister- pre 120825 meeting.pdf

Colleagues,

[Redaction – Section 29(1)(b)].

Happy to discuss.

Many thanks,

[Redaction – Section 38(1)(b)] ([Redaction – Section 38(1)(b)])

**Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for
Economy and Gaelic – Kate Forbes MSP**

[Redaction – Section 38(1)(b)], Leas-rùnaire Priobhaideach dhan Leas-Phrìomh
Mhinistear is do Rùnaire a' Chaibineit airson na h-Eaconamaidh is Gàidhlig – Ceit
Fhoirbeis BPA

The Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1
3DG

E: DFMCSSEG@gov.scot

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Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

From: Lewis Hedge

Sent: 31 July 2025 12:02

To: Minister for Children, Young People and The Promise

Cc: First Minister ; Deputy First Minister and Cabinet Secretary for Economy & Gaelic ;
Cabinet Secretary for Education & Skills 2024 ; Cabinet Secretary for Finance & Local
Government ; [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction –
Section 38(1)(b)] ; Clare Hicks ; [Redaction – Section 38(1)(b)]

Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill
[Redaction – Section 38(1)(b)] – please assign the Micase to [Redaction –
Section 38(1)(b)] and we'll factor into advice for the Minister's meeting with Liz
Smith on 12 August.

L

Lewis Hedge – DD Curriculum and Qualifications

e: lewis.hedge@gov.scot; m: [Redaction – Section 38(1)(b)]

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@parliament.scot>

Sent: 31 July 2025 11:53

To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: Smith E (Liz), MSP <Elizabeth.Smith.msp@parliament.scot>; First Minister
<firstminister@gov.scot>; Deputy First Minister and Cabinet Secretary for Economy & Gaelic
<DFMCSEG@gov.scot>; Cabinet Secretary for Education & Skills 2024
<CabSecES2024@gov.scot>; Cabinet Secretary for Finance & Local Government
<CabSecFLG@gov.scot>; Ross D (Douglas), MSP <Douglas.Ross.MSP@Parliament.scot>;
Lewis Hedge <lewis.hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section

38(1)(b)]@parliament.scot>; **[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@Parliament.scot>**; **[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@Parliament.scot>**; **[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@parliament.scot>**

Subject: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill
FAO The Minister for Children, Young People and Keeping the Promise
I attach a letter from Liz Smith for consideration in advance of the meeting on 12 August.

Regards

[Redaction – Section 38(1)(b)]

Head of the Non-Government Bills Unit

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 7: Ministerial Submission - ROE Bill - Stage 2 - Draft FM Update (2) & Revised Indicative Decisions-Timeline - 15 August 2025

From: **[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>**

Sent: Fri 15/08/2025 14:13

To: Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024

<CabSecES2024@gov.scot>; Minister for Parliamentary Business 2024

<MinisterPB@gov.scot>; Clare Hicks **<Clare.Hicks@gov.scot>**; **[Redaction –**

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **[Redaction –**

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **[Redaction –**

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **[Redaction –**

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **[Redaction –**

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **[Redaction –**

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Jonathan Brown

<Jonathan.Brown3@gov.scot>; **[Redaction – Section 38(1)(b)] <[Redaction –**

Section 38(1)(b)]@gov.scot> **[Redaction – Section 38(1)(b)] <[Redaction –**

Section 38(1)(b)]@gov.scot> **[Redaction – Section 38(1)(b)] <[Redaction –**

Section 38(1)(b)]@gov.scot> **[Redaction – Section 38(1)(b)] <[Redaction –**

Section 38(1)(b)]@gov.scot> **[Redaction – Section 38(1)(b)] <[Redaction –**

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Section 38(1)(b)]@gov.scot> **[Redaction – Section 38(1)(b)] <[Redaction –**

Section 38(1)(b)]@gov.scot> **[Redaction – Section 38(1)(b)] <[Redaction –**

Subject: Ministerial Submission - ROE Bill - Stage 2 - Draft FM Update (2) & Revised Indicative Decisions-Timeline - 15 August 2025

Minister –

Schools (Residential Outdoor Education) (Scotland) Bill: Stage 2 Handling

[Redaction – Section 29(1)(b)]

Please find attached a **draft proposed letter** for your consideration.

This draft has been informed by input from: PLU, PCO, EAS and Curriculum Policy. However, due to the tight timeframes involved around handling (see below), SpAds are yet to review but officials are providing the draft now to enable swift consideration.

Alongside this, below is set out a revised indicative timeline for finalising a Government position that reflects this latest handling approach as well as taking account of the DFM's most recent ask to be apprised of the intended handling approach ahead of anything going to the FM.

It is advised that this revised handling plan is also subject to any potential outputs from the following surrounding associated activities and considerations:

- As of 12 August, you have agreed with Ministerial colleagues to seek engagement with teacher trade unions – scheduling tbc (separate advice provided);
- As of 12 August, you have agreed with Ministerial colleagues to seek additional engagement with opposition Members (Scottish Greens, Scottish Lib Dems) – scheduling tbc;
- As of 12 August, further consideration around handling engagement with COSLA political leaders on any potential alternative policy-based approach was agreed to be undertaken by Ministers with SpAds, as appropriate;
- Liz Smith MSP has indicated that she has time scheduled in the Chamber for a Member's Debate on outdoor learning in early September – officials have not yet had sight of a confirmed date for this but will advise in due course.

This handling advice, including the draft letter to FM, has been cleared by Clare Hicks, Director for Education Reform.

PREFERENCE NOT TO LODGE MOTION FOR FR		
Action	Initial Planning Assumption	Revised Planning Assumption
Draft FM Update to Minister		15 August

38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Cabinet Secretary for Education & Skills 2024; Cabinet Secretary for Finance & Local Government; Minister for Parliamentary Business 2024; PLU Bill Programme
Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill

Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - Preferred Handling FR.docx

[Redaction – Section 38(1)(b)]

[Redaction – Section 29(1)(b)].

Kind regards,

[Redaction – Section 38(1)(b)] ([Redaction – Section 38(1)(b))]

Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Economy and Gaelic – Kate Forbes MSP

[Redaction – Section 38(1)(b)], Leas-rùnaire Priobhaideach dhan Leas-Phrìomh Mhinistear is do Rùnaire a' Chaibineit airson na h-Eaconamaidh is Gàidhlig – Ceit Fhoirbeis BPA

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E: DFMCSSEG@gov.scot

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From: [Redaction – Section 38(1)(b)] On Behalf Of Minister for Children, Young People and The Promise

Sent: 19 August 2025 08:58

To: Deputy First Minister and Cabinet Secretary for Economy & Gaelic

Cc: [Redaction – Section 38(1)(b)] ; Clare Hicks ; **[Redaction – Section 38(1)(b)] ; [Redaction – Section 38(1)(b)] ; [Redaction – Section 38(1)(b)] ; [Redaction – Section 38(1)(b)] ;**

[Redaction – Section 38(1)(b)] ; Cabinet Secretary for Education & Skills 2024 ; Cabinet Secretary for Finance & Local Government ; Minister for Parliamentary Business 2024 ; PLU Bill Programme ; Minister for Children, Young People and The Promise

Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill
Deputy First Minister,

Further to the below, please find attached the update I am proposing to send FM on proposed handling around this Bill.

Due to tight decision timelines around confirming the government's formal position on the Financial Resolution for this Bill, I would welcome any feedback no later than close today, ahead of sending a final version of the note to FM thereafter. I would also be happy to discuss the proposed approach with DfM if helpful.

NATALIE DON-INNES

[Redaction – Section 38(1)(b)]

Assistant Private Secretary to Minister for Children, Young People and the Promise –
Natalie Don-Innes MSP

Scottish Government | St Andrew's House, Regent Road | Edinburgh | EH1 3DG | E: ministercyp@gov.scot | M: **[Redaction – Section 38(1)(b)]**

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From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **On Behalf Of** Deputy First Minister and Cabinet Secretary for Economy & Gaelic

Sent: 15 August 2025 09:45

To: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill [Redaction – Section 38(1)(b)],

DFM passes on her thanks. DFM would be grateful for an indication, prior to the note to FM, of what the latest position is including on the financial memorandum.

Kind regards,

[Redaction – Section 38(1)(b)] ([Redaction – Section 38(1)(b)])

Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Economy and Gaelic – Kate Forbes MSP

[Redaction – Section 38(1)(b)], Leas-rùnaire Prìobhaideach dhan Leas-Phrìomh Mhinistear is do Rùnaire a' Chaibineit airson na h-Eaconamaidh is Gàidhlig – Ceit Fhoirbeis BPA

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E: DFMCSEG@gov.scot

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From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: 14 August 2025 11:15

To: Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill Hi [Redaction – Section 38(1)(b)] –

The Minister for Children, Young People & The Promise most recently met with Liz Smith MSP on 12 August, and following this the Minister has now discussed preferred handling around the Financial Resolution with the Cabinet Secretary for Education & Skills, Cabinet Secretary for Finance & Local Government and the Minister for Parliamentary Business, as of close 12 August.

The Minister will shortly be sending an update to FM setting out latest developments and preferred handling intent, which the DFM and other relevant Ministers will be copied into. The Minister will also be taking this Bill and handling back to [Redaction – Section 30(b)(i)] to confirm a formal Government position on the Financial Resolution that can be provided to Parliament by 26 September.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LFS) & Outdoor Learning
Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



Scottish Government
Riaghaltas na h-Alba

Scotland's Curriculum for Excellence (scotlandscurriculum.scot)

Breaking the Mould: Principles for an anti-racist curriculum

Target 2030: Scotland's Action Plan on Learning for Sustainability

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; **On Behalf Of**
Deputy First Minister and Cabinet Secretary for Economy & Gaelic

Sent: 14 August 2025 10:40

To: Clare Hicks <Clare.Hicks@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Cc: Deputy First Minister and Cabinet Secretary for Economy & Gaelic

<DFMCSEG@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill
Colleagues,

DFM would be grateful for an update on where things are at with the financial memorandum and negotiations with Liz Smith on the Outdoor Education Bill.

Grateful for confirmation this has been picked up and an update provided to DFM.

Happy to discuss.

Many thanks,

[Redaction – Section 38(1)(b)] ([Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>)

Deputy Private Secretary to the Deputy First Minister and Cabinet Secretary for Economy and Gaelic – Kate Forbes MSP

[Redaction – Section 38(1)(b)], Leas-rùnaire Priobhaideach dhan Leas-Phrìomh Mhinistear is do Rùnaire a' Chaibineit airson na h-Eaconamaidh is Gàidhlig – Ceit Fhoirbeis BPA

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E: DFMCSSEG@gov.scot

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From: Lewis Hedge <lewis.hedge@gov.scot>

Sent: 31 July 2025 12:02

To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill [Redaction – Section 38(1)(b)] – please assign the Micase to [Redaction – Section 38(1)(b)] and we'll factor into advice for the Minister's meeting with Liz Smith on 12 August.

L

Lewis Hedge – DD Curriculum and Qualifications

e: lewis.hedge@gov.scot; m: [Redaction – Section 38(1)(b)]

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@parliament.scot>

Sent: 31 July 2025 11:53

To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: Smith E (Liz), MSP <Elizabeth.Smith.msp@parliament.scot>; First Minister <firstminister@gov.scot>; Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>; Ross D (Douglas), MSP <Douglas.Ross.MSP@Parliament.scot>; Lewis Hedge <lewis.hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@parliament.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@Parliament.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@Parliament.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@Parliament.scot>

Subject: Financial resolution - Schools (Residential Outdoor Education) (Scotland) Bill

FAO The Minister for Children, Young People and Keeping the Promise

I attach a letter from Liz Smith for consideration in advance of the meeting on 12 August.

Regards

[Redaction – Section 38(1)(b)]

Head of the Non-Government Bills Unit

The Scottish Parliament: Making a positive difference to the lives of the people of Scotland

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Document 9: Ministerial Briefing - ROE Bill - Meeting with Teacher Trade Unions on 25 August 2025

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent:

To: Cabinet Secretary for Education & Skills 2024

<CabSecES2024@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Cc:

Subject: Fri 22/08/2025 11:02

Minister –

Please find attached briefing for your meeting with teacher trade union representatives on Monday 25 August, to discuss the Schools (Residential Outdoor Education) (Scotland) Bill.

Official support will be provided by:

- Clare Hicks (Director, Education Reform)
- [Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

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Document 10: RE: Urgent- Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM

From: [Redaction – Section 38(1)(b)]

Sent: 26 August 2025 09:01

To: Minister for Children, Young People and The Promise; First Minister

Cc: Deputy First Minister and Cabinet Secretary for Economy & Gaelic; Permanent Secretary; Cabinet Secretary for Education & Skills 2024; Cabinet Secretary for Finance & Local Government; Minister for Parliamentary Business 2024; [Redaction – Section 38(1)(b)]; DG Education & Justice; Director for Children and Families; Clare Hicks; Lewis Hedge; [Redaction – Section 38(1)(b)]; PLU Bill Programme; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Jonathan Brown; [Redaction – Section 38(1)(b)]; SGLD School Education; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Director of Learning

Subject: RE: Urgent- Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM

Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - Preferred Handling FR - REVISED FINAL MINISTER 21 August 202.pdf

Apologies, just extending copy list further to now also include DG Education & Justice and Director of Learning.

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot

2024 <MinisterPB@gov.scot>; Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>; Director for Children and Families
<DirectorforChildrenandFamilies@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redaction
– Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Lewis Hedge
<Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
Jonathan Brown <Jonathan.Brown3@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: Urgent- Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further
Ministerial Update to FM

PS/ First Minister

Please find the attached note from Ms Don-Innes, Minister for Children, Young People and The Promise.

Kind regards

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Private Secretary to Minister for Children, Young People and The Promise – Natalie Don-Innes MSP

The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mobile: [Redaction – Section 38(1)(b)] | Email: MinisterCYPTP@gov.scot

Ms Don-Innes' Ministerial Preferences can be found [here](#)

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Document 11: Meeting Brief for Ministerial Meeting with Pam Duncan Glancy on 2 Sep 2025

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: Wed 27/08/2025 15:30

To: Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: Meeting Brief for Ministerial Meeting with Pam Duncan Glancy - 2 Sep 2025

Afternoon [Redaction – Section 38(1)(b)]

Please find enclosed the meeting brief to support the Minister at her meeting with Ms Pam Duncan-Glancy on Tuesday 2 September (15:30 – 16:00).

The meeting brief has been co-ordinate to cover the key items to be discussed:

- [Redaction – Out of scope]
- **Schools (Residential Outdoor Education) (Scotland) Bill**

[Redaction – Out of scope]

I can confirm that [Redaction – Section 38(1)(b)] (team leader in School Age Childcare) and [Redaction – Section 38(1)(b)] (team leader in Learning for Sustainability (LfS) & Outdoor Learning) will provide official support.

Please do let me know if there is anything further.

Kind regards

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)] | Senior Policy Manager
Improving Access and Sector Growth | School Age Childcare Division
Directorate for Children and Families | Scottish Government

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Document 12: FW: Urgent- Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM

From: [Redaction – Section 38(1)(b)] on behalf of First Minister

Sent: 28 August 2025 19:38

To: John Swinney

Subject: FW: Urgent- Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM

Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - Preferred Handling FR - REVISED FINAL MINISTER 21 August 202.pdf; 2025.08.12 Member in charge to Minister.pdf

Hi FM,

Bringing this up your box. Ms Don-Innes has been invited to committee on 10th September, which could provide an opportunity to set out SG's view on Financial Resolution proactively – however this would require **[Redaction – Section 30(b)(i)]** sign-off on the approach next week.

Are you content for Ms Don-Innes to submit the proposed paper to **[Redaction – Section 30(b)(i)]**?

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)] (**[Redaction – Section 38(1)(b)]**)
Deputy Private Secretary | Office of the First Minister | **[Redaction – Section 38(1)(b)]**

From: **[Redaction – Section 38(1)(b)]** On Behalf Of First Minister
Sent: 22 August 2025 12:32
To: John Swinney
Subject: FW: Urgent- Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM

FM,

Please find attached a note from the Minister for Children, Young People & The Promise on Liz Smith's Residential Outdoor Education members Bill.

[Redaction – Section 29(1)(b)]

For your awareness, I have also attached a letter received from Liz Smith on 12th August, to which you were copied.

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)] (**[Redaction – Section 38(1)(b)]**)
Deputy Private Secretary | Office of the First Minister | **[Redaction – Section 38(1)(b)]**

From: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot> On Behalf Of Minister for Children, Young People and The Promise
Sent: 21 August 2025 13:01
To: First Minister <FirstMinister@gov.scot>
Cc: Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>; Minister for Parliamentary Business

2024 <MinisterPB@gov.scot>; Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>; Director for Children and Families
<DirectorforChildrenandFamilies@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redaction
– Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Lewis Hedge
<Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Jonathan Brown
<Jonathan.Brown3@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: Urgent- Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further
Ministerial Update to FM

PS/ First Minister

Please find the attached note from Ms Don-Innes, Minister for Children, Young
People and The Promise.

Kind regards

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Private Secretary to Minister for Children, Young People and The Promise – Natalie Don-Innes MSP

The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mobile: [Redaction – Section 38(1)(b)] | Email: MinisterCYPTP@gov.scot

Ms Don-Innes' Ministerial Preferences can be found [here](#)

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recipient. Private Offices do not keep official records of such e-mails or attachments.

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See www.lobbying.scot

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THAT ACCOMPANIED THIS EMAIL.**

**Document 13: Urgent - ROE Bill - DRAFT Paper on Financial
Resolution - For Ministerial Review & Approval - Submitted 29
August 2025**

From: [Redaction – Section 38(1)(b)]

To: Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>

CC: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scott>;
[Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scott>;[Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scott>; PLU Bill Programme <PLUBillProgramme@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scott>;
[Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scott>;[Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scott>;[Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scott>; SGLD School Education <SGLDSE@gov.scot>; [Redaction
– Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scott>; Jonathan Brown
<Jonathan.Brown3@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scott>;[Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scott>;[Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scott>;[Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scott>;

Date: Fri 29/08/2025 19:13

Subject: Urgent - ROE Bill - DRAFT [Redaction – Section 29(1)(b)] Paper on
Financial Resolution - For Ministerial Review & Approval - Submitted 29 August 2025

Minister –

**DRAFT [Redaction – Section 29(1)(b)] PAPER
Schools (Residential Outdoor Education) (Scotland) Bill: Financial Resolution
Handling**

Priority: Urgent

A response by Tuesday 2 September at the latest will ensure that the [Redaction – Section 29(1)(b)] decision process can be commenced in line with either Option 1 or 2 as set out in the related advice submitted on 28 August concerning decision timelines and sequencing of confirming Government's position to Parliament in due course.

Purpose

Please find attached a draft [Redaction – Section 29(1)(b)]paper for your consideration, which seeks to confirm Government's position on whether or not to lodge a motion for the Financial Resolution for the above Member's Bill.

[Redaction – Section 30(b)(i)] The paper includes a draft joint Ministerial letter of assurance to the Education Committee at Annex C [Redaction – Section 29(1)(b)].

[Redaction – Section 29(1)(b)]

The draft has been informed by input from: policy, PLU, PCO, EAS, SGLD.

SpAds have also reviewed and are content with the draft as presented.

Quality Assurance:

This advice has been approved by Lewis Hedge, Deputy Director Curriculum & Qualifications.

Recommendation:

- You are invited to confirm if you are content with the paper as drafted.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 14: RE: Urgent - ROE Bill - Handling Options for Government to Confirm Position - Timelines September 2025

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: 28 August 2025 19:06

To: Minister for Children, Young People and The Promise

<MinisterCYPTP@gov.scot>

Cc: First Minister <FirstMinister@gov.scot>; Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>; Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; Permanent Secretary

<PermanentSecretary@gov.scot>; DG Education & Justice <dgej@gov.scot>; Clare

Hicks <Clare.Hicks@gov.scot>; Graeme Logan <Graeme.Logan@gov.scot>; Lewis

Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; PLU Bill Programme

<PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; Communications Education & Skills

<CommunicationsEducationandSkills@gov.scot>; [Redaction – Section 38(1)(b)]

<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]

<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]

<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]

<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]

<[Redaction – Section 38(1)(b)]@gov.scot>; SGLD School Education
 <SGLDSE@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
 38(1)(b)]@gov.scot>
Subject: Urgent - ROE Bill - Handling Options for Government to Confirm Position -
 Timelines September 2025

Minister –

Financial Resolution: timelines for confirming Government’s position: options

Priority: Urgent

A response by 1 September is requested to enable associated planning and processes to be put in place as required, subject to the Minister’s preferred handling approach

Recent Developments

As you are aware, you are due to appear at the Education Committee on 10 September to answer questions on the Member’s Bill and Government’s handling since Stage 1.

You are also **invited to note** that Liz Smith MSP has now lodged a motion for a Member’s debate* on residential outdoor education, with a focus on Government’s handling of the Bill since Stage 1. This was lodged on 22 August, and is pending cross-party support. A copy of the motion is provided at the bottom of this email. This debate will not take place will w/c 1 September, and officials anticipate knowing as of 2 September if the motion will be selected for debate w/c 8 September.

Options for Consideration

In light of recent developments, officials have also discussed with SpAds, PLU and Minister for Parliamentary Business’ PO team to consider overall timelines for confirming Government’s position on the Financial Resolution, which must be confirmed to Parliament no later than 26 September.

OPTION 1: [Redaction – Section 30(b)(i)].

[Redaction – Section 30(b)(i)]. [Redaction – Section 29(1)(b)]. [Redaction – Section 30(b)(i)].

**OPTION 2: [Redaction – Section 30(b)(i)].
 [Redaction – Section 30(b)(i)].**

The below table summarises a revised decisions timeline and associated handling, reflecting Option 2:

Activity	Revised Planning Assumption - Deadlines
Ministerial letter to Liz Smith MSP responding to 12 August correspondence and action to share	1-3 September (*subject to providing draft to FM and feedback being received)

pilot information [DRAFT SUBMITTED SEPARATELY]	
Paper submitted by Minister *subject to FM feedback being received by the morning of 1 September at the latest	1 September
Decision confirmed	5 September (latest) (note: it is currently planned for up to 2 weeks' decision-time and to confirm by c. 11-12 Sept)
Ministerial meetings with opposition Members to discuss the Bill and potential policy-based alternative approach *subject to FM feedback	5 September
Ministerial letter to Committee confirming position	8 September
Ministerial letter to Liz Smith MSP confirming position and invitation for meeting	8 September
Parliamentary Statement	9 September ([Redaction – Section 30(b)(i)])
Ministerial letter to residential outdoor education sector stakeholders confirming position [and associated handling, subject to decision]	9 September
Ministerial Committee appearance	10 September
Members Debate on residential and Bill	TBC

Recommendation:

- **You are invited to note this advice and confirm your preferred handling approach.**

Thanks,

[Redaction – Section 38(1)(b)]

***Member's Debate motion as lodged on 22 August:**

Celebrating Residential Outdoor Education for Young People

- Submitted by: Liz Smith, Mid Scotland and Fife, Scottish Conservative and Unionist Party.
- Date lodged: Friday, 22 August 2025
- Motion reference: S6M-18576
- Current status: Has not yet achieved cross-party support

That the Parliament recognises what it sees as the outstanding contribution of Scotland's residential outdoor education centres, including PGL Dalguise in the Mid

Scotland and Fife region, in developing key life skills for young people, including confidence, independence, teamwork and resilience; considers that the will of the Parliament has been expressed on the Schools (Residential Outdoor Education) (Scotland) Bill, with a majority of MSPs, including those representing all political parties, agreeing to the general principles at stage 1 on 27 March 2025; notes that the Scottish Government must lodge a financial resolution by 26 September 2025 or the Bill falls; further notes that the Member in Charge of the Bill has produced a series of policy proposals and associated costings for consideration by the Scottish Government that, it believes, would mean the Bill would cost significantly less; understands that the Scottish Government is yet to provide a view on any of these policy proposals and that it is yet to identify at what level of cost it considers the Bill would become "affordable" to enable a financial resolution to be lodged; further understands that the Scottish Government has not produced financial modelling with associated draft amendments on any proposals on affordability despite what it considers a commitment from the Minister for Children, Young People and The Promise when appearing before the Education, Children and Young People Committee to share draft amendments with the Member in Charge by the start of July 2025; notes the calls by members from all political parties, the outdoor education sector, and children and young people from across Scotland for the Bill to proceed to stage 2 for further scrutiny, and further notes the associated calls for a financial resolution to be lodged.

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2:Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 15: RE: ROE Bill - Draft Ministerial Response to Liz Smith MSP Correspondence 12 August - For Ministerial Review

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: Wed 03/09/2025 12:49

To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024

<CabSecES2024@gov.scot>; Minister for Parliamentary Business 2024

<MinisterPB@gov.scot>; DG Education & Justice <dgej@gov.scot>; Clare

Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: RE: ROE Bill - Draft Ministerial Response to Liz Smith MSP
Correspondence 12 August - For Ministerial Review

Minister – [removing FMPO / FM Spads following their notification that draft letter can issue on the Minister’s clearance now]

Please find attached a revised draft letter to Liz Smith MSP for your consideration, which reflects yours and SpAds feedback as below.

Noting the Minister for Parliamentary Business’ comments (attached) on the original draft and timings, the new draft retains lines indicating that you are aware that teacher trade unions would welcome engagement by the Member in Charge, but now excludes reference to further encouraging Liz Smith MSP to consider undertaking this at this time. While the now revised timelines for overall handling on the Bill allow around 2 weeks gap between this letter issuing, if you wish to send today/tomorrow, and a potential Government statement to Parliament on 17-18 September (subject to request to Minister for Parliamentary Business and confirmation),

[Redaction – Section 30(b)(i)]

You are invited to confirm if you are content with the revised draft and handling approach as above.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2:Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
 <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
 <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
 <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
 <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
 <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
 <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
 <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Urgent - ROE Bill - Handling Options for Government to Confirm Position - Timelines September 2025

Minister –

Following further discussion with policy officials and SpAds yesterday on the below, you have confirmed your preferred handling approach is as follows:

- No decision / Government announcement on the Financial Resolution prior to your appearance at Committee on 10 September
- Parliamentary Statement on confirmed Government position (*subject to decision) w/c 15 September

Reflecting discussions, this produces a revised handling timeline that is set out in the table at the bottom of this email, which you are invited to note.

[Redaction – Section 30(b)(i)].

Activity	Deadline
Ministerial letter to Liz Smith MSP responding to 12 August correspondence – to issue	4 September
Ministerial paper submitted for consideration	8 September
Member’s Debate on ROE Bill	9 September (now confirmed)
Ministerial meeting with Pam Duncan-Glancy MSP	9 September
Ministerial meeting with Willie Rennie MSP	9 September
Ministerial appearance at ECYP Committee	10 September
Ministerial meeting with Ross Greer MSP	11 September
Decision on Gov. position confirmed	12 September
Ministerial Parliamentary Statement on Gov. position	17 or 18 September (tbc) *Request to be submitted to Minister for Parliamentary Business
Ministerial letter to Member in Charge on Gov. position	(same day as Statement – proceeding statement)

Ministerial letter to Committee on Gov.
position
(cc' to Member in Charge)

(same day as Statement –
proceeding statement)

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2:Society, Citizenship, the Arts and Languages | Curriculum &
Qualifications Division | Directorate for Education Reform

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

**Document 18: ROE Bill - Ministerial Briefing & Statement -
Education Committee Appearance 10 September - Pre-
Meeting to Discuss 8 September 2025**

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: Fri 05/09/2025 21:03

To: Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024

<CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis
Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; Communications Education & Skills

<CommunicationsEducationandSkills@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: ROE Bill - Ministerial Briefing & Statement - Education Committee
Appearance 10 September - Pre-Meeting to Discuss 8 September 2025

Minister –

With apologies for the slight delay in providing, please now find attached finalised briefing and a proposed opening statement for your upcoming appearance at the Education Committee on 10 September to answer questions on the School (Residential Outdoor Education) (Scotland) Bill and Government's handling following its passage at Stage 1.

A slot has been scheduled for an extended pre-meeting for you with officials and SpAds on Monday – officials stand ready to make any desired amendments to the briefing / statement, including provision of any additional information as required.

Thanks,
[Redaction – Section 38(1)(b)]

Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 19: RE: Urgent - ROE Bill - DRAFT Paper on Financial Resolution - For Ministerial Review & Approval - Submitted 29 August 2025

From: [Redaction – Section 38(1)(b)];

Sent: 05 September 2025 15:19

To: Minister for Children, Young People and The Promise

Cc: Cabinet Secretary for Education & Skills 2024; Clare Hicks; Lewis Hedge;

[Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)];

PLU Bill Programme; [Redaction – Section 38(1)(b)];

[Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)];

[Redaction – Section 38(1)(b)]; SGLD School Education; [Redaction – Section 38(1)(b)];

Jonathan Brown; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)];

[Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)];

[Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)];

[Redaction – Section 38(1)(b)]; Communications Education & Skills; [Redaction – Section 38(1)(b)];

Cabinet Secretariat Inbox

Subject: RE: Urgent - ROE Bill - DRAFT Paper on Financial Resolution - For Ministerial Review & Approval - Submitted 29 August 2025

Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Financial Resolution Handling - Paper - DRAFT FOR MINISTERIAL REVIEW V2 - Submitted 5 September 2025.docx

Minister – [expanded copy list]

Please find attached a **revised draft paper** for your urgent consideration – a **response by Monday 8 September is invited**.

This is to enable Cabinet Secretariat to then issue the paper to **[Redaction – Section 30(b)(i)]** members that same day, Monday 8 September, providing a 5 day standard decision period for a response by close on Friday 12 September. This is in line with your preferred handling approach, and officials are liaising with Cabinet Secretariat to support delivery in this timeframe.

Note on Amendments

Amendments made are to reflect your preferred handling approach as discussed with officials and SpAds on 2 September. Some other minor amendments have also been made to reflect latest developments (e.g. the now confirmed Member's Debate on 9 September). All substantive amendments have been flagged as comments within the document for ease of reference. Subject to your approval of the revised draft, officials would provide a clean version for PO to issue to Cabinet Secretariat on Monday.

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



Scotland's Curriculum for Excellence (scotlandscurriculum.scot)
Breaking the Mould: Principles for an anti-racist curriculum
Target 2030: Scotland's Action Plan on Learning for Sustainability

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
On Behalf Of Minister for Children, Young People and The Promise

Sent: 02 September 2025 10:13

To: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>;
Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU
Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)]

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<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>; SGLD School Education

<SGLDSE@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; Jonathan Brown <Jonathan.Brown3@gov.scot>; [Redaction –

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction –
Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction –

Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction –
Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Urgent - ROE Bill - DRAFT Paper on Financial Resolution - For
Ministerial Review & Approval - Submitted 29 August 2025

Hi [Redaction – Section 38(1)(b)]

Thanks for the draft. Ms Don-Innes is not content with this at the moment, it states that a decision is required in order to communicate the decision to the lead committee on the 10th and the Minister would like to discuss handling of this before clearing. We have a meeting arranged for 14:05 this afternoon to discuss.

Kind regards

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Private Secretary to Minister for Children, Young People and The Promise - Natalie Don-Innes MSP

The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mobile: [Redaction – Section 38(1)(b)] | Email: MinisterCYPTP@gov.scot

Ms Don-Innes' Ministerial Preferences can be found [here](#)

All e-mails and attachments sent by a Ministerial Private Office to any other official on behalf of a Minister relating to a decision, request or comment made by a Minister, or a note of a Ministerial meeting, must be filed appropriately by the recipient. Private Offices do not keep official records of such e-mails or attachments.

Scottish Ministers, Special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: 29 August 2025 19:13

To: Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>;

Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU
Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>; SGLD School Education
<SGLDSE@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; Jonathan Brown <Jonathan.Brown3@gov.scot>; [Redaction –
Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction –
Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction –
Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: Urgent - ROE Bill - DRAFT Caper on Financial Resolution - For Ministerial
Review & Approval - Submitted 29 August 2025
Importance: High

Minister –

DRAFT PAPER

Schools (Residential Outdoor Education) (Scotland) Bill: Financial Resolution Handling

Priority: Urgent

A response by Tuesday 2 September at the latest will ensure that the decision process can be commenced in line with either Option 1 or 2 as set out in the related advice submitted on 28 August concerning decision timelines and sequencing of confirming Government's position to Parliament in due course.

Purpose

Please find attached a draft paper for your consideration, which seeks to confirm Government's position on whether or not to lodge a motion for the Financial Resolution for the above Member's Bill.

[Redaction – Section 29(1)(a)]. The paper includes a draft joint Ministerial letter of assurance to the Education Committee at Annex C, which the [Redaction – Section 30(b)(i)] would also be invited to agree to the contents of.

[Redaction – Section 29(1)(b)]

The draft has been informed by input from: policy, PLU, PCO, EAS, SGLD.

SpAds have also reviewed and are content with the draft as presented.

Quality Assurance:

This advice has been approved by Lewis Hedge, Deputy Director Curriculum & Qualifications.

Recommendation:

You are invited to confirm if you are content with the paper as drafted.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



[Scotland's Curriculum for Excellence \(scotlandscurriculum.scot\)](https://scotlandscurriculum.scot)

[Breaking the Mould: Principles for an anti-racist curriculum](#)

[Target 2030: Scotland's Action Plan on Learning for Sustainability](#)

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

**Document 20: Schools (Residential Outdoor Education)
(Scotland) Bill - Agreement to Scottish Government Position
on the Financial Resolution - responses requested by 11.00am
on Friday, 12 September 2025**

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretariat Inbox
Sent: 05 September 2025 17:16
To: Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>; Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; Lord Advocate LordAdvocate@gov.scot

[Redaction – Section 29(1)(b)]

To: Members

CORRESPONDENCE

SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: AGREEMENT TO SCOTTISH GOVERNMENT POSITION ON THE FINANCIAL RESOLUTION [Redaction – Section 29(1)(b)]

Routine: Please find attached a new paper on behalf of the Minister for Children, Young People and The Promise

(29 pages)

Responses are requested by **11.00am on Friday, 12 September 2025.**

Many thanks, [Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)] | Scottish Government | Cabinet, Parliament and Governance Division | Tel:

[Redaction – Section 38(1)(b)] | email: [Redaction – Section 38(1)(b)]@gov.scot

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

Document 21: For Monday 8 Sept - Pre-Meeting - Member's Debate ROE Bill Liz Smith 9 Sept - Briefing & Closing Remarks

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: Sat 06/09/2025 13:13

To: Minister for Children, Young People and The Promise

<MinisterCYPTP@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024

<CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis

Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –

Section 38(1)(b)]@gov.scot>;; Communications Education & Skills

<CommunicationsEducationandSkills@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

Subject: For Monday 8 Sept - Pre-Meeting - Member's Debate ROE Bill Liz

Smith 9-10 - Briefing & Closing Remarks

Minister –

With apologies for slight delay, please find attached finalised briefing and proposed closing remarks for the upcoming Member’s debate on residential outdoor education provision and Liz Smith’s Bill, on 9 September.

This briefing closely aligns with your briefing for appearance at the Education Committee to discuss Liz Smith’s Bill and Government’s handling following Stage 1, on 10 September.

A slot has been scheduled for an extended pre-meeting for you with officials and SpAds on Monday – officials stand ready to make any desired amendments to the briefing / statement, including provision of any additional information as required.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 22: For Tuesday 9 September - Ministerial Briefing - ROE Bill - Meeting w-Willie Rennie MSP 9-9

From: [Redaction – Section 38(1)(b)]
Sent: 06 September 2025 16:47
To: Minister for Children, Young People and The Promise
Cc: Cabinet Secretary for Education & Skills 2024; Clare Hicks; Lewis Hedge; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; PLU Bill Programme; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]
Subject: For Tuesday 9 September - Ministerial Briefing - ROE Bill - Meeting w-Willie Rennie MSP 9-9
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Ministerial Meeting w-Willie Rennie MSP 9-9 - Briefing - Submitted 6 September 2025.docx

Minister –

Please find attached briefing for your upcoming meeting with Willie Rennie MSP on 9 September to further discuss the Schools (Residential Outdoor

Education) (Scotland) Bill [Redaction – Section 29(1)(a)]. This meeting seeks to build on your previous engagement on this matter with Mr Rennie on 4 June.

Official support will be provided by:

- [Redaction – Section 38(1)(b)], Team Leader LfS & Outdoor Learning
- [Redaction – Section 38(1)(b)], Senior Policy Manager LfS & Outdoor Learning

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



[Scotland's Curriculum for Excellence \(scotlandscurriculum.scot\)](https://scotlandscurriculum.scot)
[Breaking the Mould: Principles for an anti-racist curriculum](#)
[Target 2030: Scotland's Action Plan on Learning for Sustainability](#)

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

**Document 23: RE: [Redaction – Section 29(1)(b)] - Schools
(Residential Outdoor Education) (Scotland) Bill - Agreement to
SG position on the Financial Resolution - responses
requested by 11.00am on Friday, 12 September 2025 - PLU
ADVICE TO MEMBERS**

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Sent: 08 September 2025 10:17

To: Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>; Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; Lord Advocate <LordAdvocate@gov.scot>
Cc: PLU Bill Programme <PLUBillProgramme@gov.scot>
Subject: RE: **[Redaction – Section 29(1)(b)]** - Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - responses requested by 11.00am on Friday, 12 September 2025

PS/ Deputy First Minister and Cabinet Secretary for Economy and Gaelic
 PS/ Cabinet Secretary for Finance and Local Government
 PS/ Minister for Parliamentary Business
 PS/ Lord Advocate

In addition to the risks and issues set out in the paper, **[Redaction – Section 29(1)(b)]**, Members may wish to note potential considerations for the wider legislative programme:

Whilst the Financial Resolution procedure is intended to give the Government control over all Bills with significant financial implications and the Parliament’s Standing Orders make a clear distinction between the Parliament’s agreement to the general policy principles of a Bill and to its financial implications. The Scottish Parliament’s Guidance on Public Bills expressly states that position by referring to it as a “veto” that must be seen within the context of the Scottish Government’s responsibilities in relation to Scotland’s public finances. This will be the first time that the Government has not lodged a Financial Resolution which stops a Bill from being able to progress, despite Parliament agreeing the general principles of the Bill at Stage 1. Given this precedent, a consistent or logical approach may be required in other such circumstances. Please see below which Members Bills are/are expected to require a Financial Resolution.

Members Bill	Financial Resolution
Disability Commissioner	Required
Restraint and Seclusion in School	Required
Right to Addiction Recovery	Required
Schools (Residential Outdoor Education)	Required
Scottish Parliament (Recall and Removal of Members)	Required
Wellbeing and Sustainable Development	Required
Prostitution Offences and Support	TBC - expected to be required
Commissioner for Older People	TBC - expected to be required
Freedom of Information Reform	TBC - expected to be required
Prevention of Domestic Abuse	TBC - expected to be required
Assisted Dying for Terminally Ill Adults	Not required
Desecration of War Memorials (Prevention)	Not required
Dog Theft	Not required
Greyhound Racing (Offences)	Not required
Ecocide Prevention	TBC - not expected to be required

Whilst the Parliament's Standing Orders do not require the Scottish Government to lodge a Financial Resolution, it does not set out a mechanism for any such decisions being communicated to Parliament. The proposed approach to write to the Member in Charge and Parliament, and making a statement to Parliament, is similar to the process where the Government can stop a Members Bill progressing at final proposal stage by committing to legislate to give effect to the proposal.

There is the potential that the Government actions for this Bill could lead to increased scrutiny of financial implications for other legislation, including Government Bills.

Kind regards,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)] ([Redaction – Section 38(1)(b)])



From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

On Behalf Of Cabinet Secretariat Inbox

Sent: 05 September 2025 17:16

To: Deputy First Minister and Cabinet Secretary for Economy & Gaelic

<DFMCSEG@gov.scot>; Cabinet Secretary for Finance & Local Government

<CabSecFLG@gov.scot>; Minister for Parliamentary Business 2024

<MinisterPB@gov.scot>; Lord Advocate <LordAdvocate@gov.scot>

Cc: Minister for Children, Young People and The Promise

<MinisterCYPTP@gov.scot>; Cabinet Secretary for Education & Skills 2024

<CabSecES2024@gov.scot>; Solicitor General <SolicitorGeneral@gov.scot>;

Permanent Secretary <PermanentSecretary@gov.scot>; Solicitor to the Scottish

Government <solicitor@gov.scot>; Chief Parliamentary Counsel

<ChiefParliamentaryCounsel@gov.scot>; Legal Secretariat to the Lord Advocate

<LegalSecretariattotheLordAdvocate@gov.scot>; Andrew Bruce

<Andrew.Bruce@gov.scot>; Helen Webster <Helen.Webster@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

Cabinet Secretariat Inbox <CabinetSecretariat@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

**Document 24: RE: ROE Bill - Ministerial Briefing &
Statement - Education Committee Appearance 10 September -
Pre-Meeting to Discuss 8 September 2025**

From: [Redaction – Section 38(1)(b)]
Sent: 09 September 2025 16:17
To: Minister for Children, Young People and The Promise
Cc: Cabinet Secretary for Education & Skills 2024; [Redaction – Section 38(1)(b)]; Clare Hicks;
Lewis Hedge; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Communications
Education & Skills; Scott Macnab; PLU Bill Programme; [Redaction – Section 38(1)(b)]; [Redaction –
Section 38(1)(b)]
Subject: RE: ROE Bill - Ministerial Briefing & Statement - Education Committee Appearance
10 September - Pre-Meeting to Discuss 8 September 2025
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Education
Committee - Ministerial Appearance 10 September - DRAFT Briefing V2 - 9 September 2025.docx

Minister –

Please also now find attached amended briefing pack, updated following your
pre-meeting yesterday.

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum &
Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



Scotland's Curriculum for Excellence (scotlandscurriculum.scot)
Breaking the Mould: Principles for an anti-racist curriculum
Target 2030: Scotland's Action Plan on Learning for Sustainability

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Sent: 08 September 2025 11:06

To: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducationandSkills@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: ROE Bill - Ministerial Briefing & Statement - Education Committee Appearance 10 September - Pre-Meeting to Discuss 8 September 2025

Minister –

Please find attached a slightly amended version of the proposed opening remarks reflecting SpAds' feedback.

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



Scotland's Curriculum for Excellence (scotlandscurriculum.scot)

Breaking the Mould: Principles for an anti-racist curriculum
Target 2030: Scotland's Action Plan on Learning for Sustainability

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Sent: 08 September 2025 09:42
To: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>
Cc: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducationandSkills@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: RE: ROE Bill - Ministerial Briefing & Statement - Education Committee Appearance 10 September - Pre-Meeting to Discuss 8 September 2025

All

Apologies but I had switched off around 6 on Friday and so missed this coming in I'm afraid, I've done some work on the statement this morning and fed back to officials

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]
Special Advisor
Education, Skills, Veterans and cross-government on Trade Unions
[Redaction – Section 38(1)(b)]

Scottish Government
St Andrew's House, 2 Regent Road, Edinburgh, EH1 3DG
Scottish Ministers, Special advisers and the Permanent Secretary to the Scottish Government are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot.

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
Sent: 05 September 2025 21:03
To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>
Cc: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducationandSkills@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: ROE Bill - Ministerial Briefing & Statement - Education Committee Appearance 10

September - Pre-Meeting to Discuss 8 September 2025

Importance: High

Minister –

With apologies for the slight delay in providing, please now find attached finalised briefing and a proposed opening statement for your upcoming appearance at the Education Committee on 10 September to answer questions on the School (Residential Outdoor Education) (Scotland) Bill and Government's handling following its passage at Stage 1.

A slot has been scheduled for an extended pre-meeting for you with officials and SpAds on Monday – officials stand ready to make any desired amendments to the briefing / statement, including provision of any additional information as required.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



Scotland's Curriculum for Excellence (scotlandscurriculum.scot)
Breaking the Mould: Principles for an anti-racist curriculum
Target 2030: Scotland's Action Plan on Learning for Sustainability

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

Document 25: Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to SG position on FR - responses requested by 11.00am on Friday, 12 September 2025 - 10 September 2025

From: [Redaction – Section 38(1)(b)]
Sent: 10 September 2025 12:58
To: Cabinet Secretary for Finance & Local Government
Cc: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]
Subject: RE: [Redaction – Section 29(1)(b)]- Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - responses requested by 11.00am on Friday, 12 September 2025
Attachments: [Redaction – Section 29(1)(b)] Briefing - 12 August 2025 1330.docx

Hi [Redaction – Section 38(1)(b)],

Please see finance advice and a suggested response on the Schools (Residential Outdoor Education) (Scotland) Bill [Redaction – Section 29(1)(b)] paper.

Our suggested response is drafted from a finance perspective only, therefore, you may want to add something further, given DFMs response, on handling, further ministerial or spad meetings.

I hope this is helpful but please let me know if you need anything further.

Thanks,

[Redaction – Section 38(1)(b)]

Background

This [Redaction – Section 29(1)(b)] paper sets out the proposed government approach to the Schools (Residential Outdoor Education) (Scotland) Bill.

The paper asks [Redaction – Section 29(1)(b)] members to:

[Redaction – Section 30(b)(i)]

This approach was discussed and agreed at a meeting between the Minister for Children, Young People and The Promise, the Minister for Parliamentary Business, the Cabinet Secretary for Education and Skills and the Cabinet Secretary held on 12 August.

[Redaction – Section 30(b)(i)]

Finance advice

[Redaction – Section 30(b)(i)]

More detailed financial advice was shared with the Cabinet Secretary ahead on the ministerial meeting on 12 August. This is reattached for ease of reference.

Suggested response

[Redaction – Section 30(b)(i)]

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; On Behalf Of Cabinet Secretary for Finance & Local Government
Sent: 08 September 2025 11:01
To: Section 38(1)(b) <[Redaction – Section 38(1)(b)]@gov.scot>; Section 38(1)(b) <[Redaction – Section 38(1)(b)]@gov.scot>;
Cc: Section 38(1)(b) <[Redaction – Section 38(1)(b)]@gov.scot>; Section 38(1)(b) <[Redaction – Section 38(1)(b)]@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>
Subject: FW: [Redaction – Section 29(1)(b)] - Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - responses requested by 11.00am on Friday, 12 September 2025
Importance: High

Hi [Redaction – Section 38(1)(b)],

Please find attached [Redaction – Section 29(1)(b)]paper on the Schools (Residential Outdoor Education) (Scotland) Bill.

Grateful if you could provide advice and a suggested response, if any by COP Wednesday 10 September.

Thanks

[Redaction – Section 38(1)(b)]
[Redaction – Section 38(1)(b)] | Deputy Private Secretary | Cabinet Secretary for Finance and Local Government – Shona Robison MSP | Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | M:[Redaction – Section 38(1)(b)] | E: CabSecFLG@gov.scot

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From: Section 38(1)(b) <[Redaction – Section 38(1)(b)]@gov.scot>; On Behalf Of Cabinet Secretariat Inbox
Sent: 05 September 2025 17:16
To: Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Cabinet Secretary for Finance & Local Government

38(1)(b)]@gov.scot>; DL SPADS Admin <DLSPADSAdmin@gov.scot>
Subject: [Redaction – Section 29(1)(b)]- Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - responses requested by 11.00am on Friday, 12 September 2025
Importance: High

[Redaction – Section 29(1)(b)]

To: **[Redaction – Section 29(1)(b)] Members**

**[Redaction – Section 29(1)(b)] CORRESPONDENCE
SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
AGREEMENT TO SCOTTISH GOVERNMENT POSITION ON THE FINANCIAL
RESOLUTION [Redaction – Section 29(1)(b)]**

Routine: Please find attached a new **[Redaction – Section 29(1)(b)]** paper on behalf of the Minister for Children, Young People and The Promise

(29 pages)

Responses are requested by **11.00am on Friday, 12 September 2025.**

Many thanks, **[Redaction – Section 38(1)(b)]**
[Redaction – Section 38(1)(b)] | [Scottish Government | Cabinet, Parliament and Governance Division](#) |
Tel: 0131 244 2071 | email: **[Redaction – Section 38(1)(b)]@gov.scot**

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 26: URGENT BRIEFING - 13:10-13:30 Outdoor Education Meeting with DFM, Cab Sec & Minister - 11 September 2025

From: **[Redaction – Section 38(1)(b)]**
Sent: 11 September 2025 12:27
To: Minister for Children, Young People and The Promise; Deputy First Minister and Cabinet Secretary for Economy & Gaelic; Cabinet Secretary for Finance & Local Government
Cc: Jonathan Brown; Lewis Hedge; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; Clare Hicks; PLU Bill Programme; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; SGLD School Education; Minister for Parliamentary Business 2024
Subject: URGENT BRIEFING - 13:10-13:30 Outdoor Education Meeting with DFM, Cab Sec & Minister
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Handling Advice - Members - 11 September 2025.docx

Importance: High

DFM / Cabinet Secretary for Finance & Local Government / Minister for Children, Young People & The Promise –

Please find attached urgent briefing for your meeting at 13:10 to discuss handling on the Schools (Residential Outdoor Education) (Scotland) Bill. This briefing is in addition to, and builds out from considerations set out in [Redaction – Section 29(1)(b)].

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



[Scotland's Curriculum for Excellence \(scotlandscurriculum.scot\)](https://scotlandscurriculum.scot)
[Breaking the Mould: Principles for an anti-racist curriculum](#)
[Target 2030: Scotland's Action Plan on Learning for Sustainability](#)

-----Original Appointment-----

From: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Sent: 10 September 2025 10:27

To: Minister for Children, Young People and The Promise; Natalie Don-Innes MSP; [Redaction – Section 38(1)(b)]; Lewis Hedge; [Redaction – Section 38(1)(b)]; Deputy First Minister and Cabinet Secretary for Economy & Gaelic; [Redaction – Section 38(1)(b)]; Cabinet Secretary for Finance & Local Government; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]

Cc: Jonathan Brown; Robison S (Shona), MSP

Subject: 13:10-13:30 Outdoor Education Meeting with DFM, Cab Sec & Minister

When: 11 September 2025 13:10-13:30 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Ms Robison's Office

[Redaction – Out of scope]

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Org help | Privacy and security

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

**Document 27: RE: URGENT: ROE Bill - note to FM - 12
September 2025**

From: Lewis Hedge

Sent: 12 September 2025 18:46

To: Cabinet Secretary for Education & Skills 2024; Clare Hicks; Minister for Children, Young People and The Promise

Cc: [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; PLU Bill Programme; [Redaction – Section 38(1)(b)]; SGLD School Education; [Redaction – Section 38(1)(b)]

Subject: RE: URGENT: ROE Bill - note to FM

Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - update on handling FR - 12 September.docx; Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - Preferred Handling FR - R (1).pdf

POs

Further to the call just now, attached is an updated draft of the note to FM for the Minister and Cab Sec's consideration. I have tracked changes for ease:

Referencing that the Minister and Cab Sec have also spoken

[Redaction – Section 29(1)(a)]

Adding an action d) to keep in hand the non-legislative option

Reference to the potential for parliament to take a different position on the Bill at Stage 3

Also attached is the previous note from the Minister to FM, which this new note refers to, for inclusion.

L

Lewis Hedge – DD Curriculum and Qualifications

e: lewis.hedge@gov.scot; m: [Redaction – Section 38(1)(b)]

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **On Behalf Of**
Cabinet Secretary for Education & Skills 2024

Sent: 12 September 2025 16:39

To: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: URGENT: ROE Bill - note to FM

[Redaction – Out of scope]

[Redaction – Section 38(1)(b)]

Deputy Private Secretary to Cabinet Secretary for Education and Skills – Jenny Gilruth MSP

The Scottish Government | St Andrews House | Regent Road, Edinburgh, EH1 3DG | Email: CabSecES2024@gov.scot

Ms Gilruth's Ministerial Preferences can be found here

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From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **On Behalf Of** Cabinet Secretary for Education & Skills 2024

Sent: 12 September 2025 16:31

To: Clare Hicks <Clare.Hicks@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; SGLD School Education

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> on behalf of Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>

Sent: Friday, September 12, 2025 4:25:34 PM

To: Lewis Hedge <Lewis.Hedge@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; Nico McKenzie-Juetten <Nico.McKenzie-Juetten@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: URGENT: ROE Bill - note to FM

Hi Lewis,

[Redaction – Out of scope].

Best wishes

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Deputy Private Secretary to Cabinet Secretary for Education and Skills – Jenny Gilruth MSP

The Scottish Government | St Andrews House | Regent Road, Edinburgh, EH1 3DG|

Email: CabSecES2024@gov.scot

Ms Gilruth's Ministerial Preferences can be found here

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From: Lewis Hedge <Lewis.Hedge@gov.scot>

Sent: 12 September 2025 15:58

To: Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section

Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: URGENT: ROE Bill - note to FM

[Redaction – Section 38(1)(b)]

Please find attached a draft note for the Minister to send to the FM updating him on the proposed approach to the Schools (Residential Outdoor Education)(Scotland) Bill, for issue by close today and inviting a reply from the FM by Monday.

Lewis

Lewis Hedge

Deputy Director, Curriculum and Qualifications – Scottish Government
e: lewis.hedge@gov.scot
m: [Redaction – Section 38(1)(b)]

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

**Document 28: URGENT: ROE Bill - note to FM - 12
September 2025**

From: Lewis Hedge
Sent: 12 September 2025 13:50
To: Minister for Children, Young People and The Promise
Cc: Lewis Hedge; [Redaction – Section 38(1)(b)]; Clare Hicks; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; PLU Bill Programme; [Redaction – Section 38(1)(b)]; SGLD School Education; [Redaction – Section 38(1)(b)]
Subject: URGENT: ROE Bill - note to FM
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - update on handling FR - 12 September.docx

[Redaction – Section 38(1)(b)]

Please find attached a draft note for the Minister to send to the FM updating him on the proposed approach to the Schools (Residential Outdoor Education)(Scotland) Bill, for issue by close today and inviting a reply from the FM by Monday.

Lewis

Lewis Hedge

Deputy Director, Curriculum and Qualifications – Scottish Government

e: lewis.hedge@gov.scot

m: [Redaction – Section 38(1)(b)]

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

Document 29: Re: Ministerial Statement Request

From: Lewis Hedge
Sent: 13 September 2025 13:58
To: Minister for Children, Young People and The Promise;
[Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)];
[Redaction – Section 38(1)(b)]; Jonathan Brown; PLU Bill
Programme
Cc: Minister for Children, Young People and The Promise; Clare
Hicks
Subject: Re: Ministerial Statement Request

The FM has already replied to the note so I'm wondering if there's a way of creating the option for the Minister to wrap all this up this week and reset the narrative.

[Redaction – Section 38(1)(b)] - could you find out from member POs if they would be able to clear a revised Corres decision by close Monday if Ms D-I were able to issue tomorrow. And from [Redaction – Section 38(1)(b)] whether there's a realistic prospect of getting both a statement and motion (in that order) in parli bus, this week.

And would it be realistic for Ms D-I to fit in urgent calls with Liz Smith, Greer, Rennie and COSLA before statement?

[Redaction – Section 38(1)(b)] - views?

The paper is in good shape, we have a draft motion for FR, and a sub is required to clear this.

If this is too much / too risky we stick with the plan of papers and engagement this week and statement & motion next week.

Lewis

Lewis Hedge – DD Curriculum and Qualifications

e: lewis.hedge@gov.scot; m: [Redaction – Section 38(1)(b)]

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> on behalf of Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Sent: Saturday, September 13, 2025 11:04:31 am

To: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; >

Cc: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>

Subject: FW: Ministerial Statement Request

Hi [Redaction – Section 38(1)(b)] & Team

Please see below. Could you provide advice for the Minister by close of business on Monday if at all possible please.

Kind regards

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Private Secretary to Minister for Children, Young People and The Promise - Natalie Don-Innes MSP

The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mobile: [Redaction – Section 38(1)(b)] | Email: MinisterCYPTP@gov.scot

Ms Don-Innes' Ministerial Preferences can be found [here](#)

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See www.lobbying.scot

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot> **On Behalf Of** Minister for Parliamentary Business 2024

Sent: 12 September 2025 13:17

To: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;

Subject: FW: Ministerial Statement Request

Hi [Redaction – Section 38(1)(b)],

I know we have discussed the below, but now sending on as well.

Please see below request that we have received from the Conservative Party for a statement on the financial resolution for the Schools (Residential Outdoor Education) (Scotland) Bill. I understand that discussions are still ongoing regarding this issue, however we wanted to pass on this request as this is something Mr Hepburn will need to respond to.

Can you please let us know as soon as possible if and when any statement would be required please, and we will then look to see when it can be scheduled.

In the first instance can I assume that you no longer need the slot for a statement next week that we had set aside? Happy to discuss if helpful.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)] (she/her)

Private Secretary to the [Minister for Parliamentary Business](#) – Jamie Hepburn MSP

T: **[Redaction – Section 38(1)(b)]** | **M:** **[Redaction – Section 38(1)(b)]** | **E:** MinisterPB@gov.scot

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From: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@parliament.scot>

Sent: 10 September 2025 15:56

To: Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>

Cc: Business Team <Business.Team@parliament.scot>; Eagle T (Tim), MSP <Tim.Eagle.MSP@Parliament.scot>; Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; Presiding Officers <PresidingOfficers@parliament.scot>; Rennie W (Willie), MSP <Willie.Rennie.msp@parliament.scot>; Whitfield M (Martin), MSP <Martin.Whitfield.MSP@Parliament.scot>; Slater L (Lorna), MSP <Lorna.Slater.MSP@Parliament.scot>

Subject: Ministerial Statement Request

Dear Minister and team,

[Redaction – Out of scope]

.

Best regards,

[Redaction – Section 38(1)(b)]

Head of Parliamentary Business

Whips Office | Tim Eagle MSP

[Redaction – Section 38(1)(b)] | **[Redaction – Section 38(1)(b)]**

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Subject: Re: Urgent - Note to First Minister - Schools (Residential Outdoor Education) (Scotland) Bill - 12 September 2025

[Redaction – Section 38(1)(b)]

[Redaction – Section 29(1)(b)]

Thanks

[Redaction – Section 38(1)(b)]

From: [Redaction – Section 38(1)(b)] on behalf of Minister for Children, Young People and The Promise

Sent: Saturday, September 13, 2025 7:44:16 AM

To: First Minister

Cc: Minister for Children, Young People and The Promise ; Cabinet Secretary for Education & Skills 2024 ; Deputy First Minister and Cabinet Secretary for Economy & Gaelic ; Cabinet Secretary for Finance & Local Government ; Minister for Parliamentary Business 2024 ; Lord Advocate ; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Clare Hicks ; Lewis Hedge ; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; PLU Bill Programme ; [Redaction – Section 38(1)(b)] ; SGLD School Education ; [Redaction – Section 38(1)(b)]

Subject: Urgent - Note to First Minister - Schools (Residential Outdoor Education) (Scotland) Bill - 12 September 2025

FMPO

Please find attached a note from the Minister for Children, Young People & The Promise providing an update on handling around the Schools (Residential Outdoor Education) (Scotland) Bill. Also attached is a previous note of 21 August.

With apologies for the short notice, the note seeks FM's agreement by COP Monday 15 September to allow time to confirm [Redaction – Section 30(b)(i)]'s decision and schedule parliamentary business before the Bill automatically falls the following week.

Many thanks

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Office of the Cabinet Secretary for Education and Skills (Interim)

The Scottish Government | St Andrews House | Regent Road, Edinburgh, EH1 3DG

[Redaction – Section 38(1)(b)] | cabseces2024@gov.scot

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 33: Updated advice

From: Lewis Hedge
Sent: 15 September 2025 11:41
To: Minister for Children, Young People and The Promise

Cc: [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; PLU Bill Programme; Nico McKenzie-Juetten; SGLD School Education; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Clare Hicks; Cabinet Secretary for Education & Skills 2024; Communications Education & Skills

Subject: Updated advice

Attachments: Urgent - Note to First Minister - Schools (Residential Outdoor Education) (Scotland) Bill - 12 September 2025 ; [Redaction – Section 29(1)(b)] - Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - responses requested by 11.00am on Friday, 12 September 2025; Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - [Redaction – Section 29(1)(b)] - Ministerial Update on Advice - 15 September 2025.docx

[Redaction – Section 38(1)(b)]

Please find attached an update for the Minister’s consideration following her meetings with Cab Sec Education, Cab Sec Finance and DFM last week, and the FM’s reply to the note on Saturday. This update should be read in conjunction with the paper [Redaction – Section 29(1)(b)] and the note to FM and seeks a response from members by 17 September.

Updated timeline (assuming [Redaction – Section 30(b)(i)] agrees recommendation):

Date	Action	Lead
17/9	Decision	[Redaction – Section 30(b)(i)]
17/9	Submission to Cab Sec Finance and Min CYPP to clear the FR motion	Policy team & PCO
17-24/9	Meetings for Minister with <ul style="list-style-type: none"> - Liz Smith MSP - (if desired) Willie Rennie MSP, Pam Duncan-Glancy MSP, Ross Greer MSP - Cllr Hagmann and Cllr Buchannan, COSLA 	PO to arrange Policy team to prepare briefing
18/9	Answer PQ S6O-04958 from Martin Whitfield	Policy to update to trail forthcoming statement, when confirmed
24-25/9 (tbc)	Min CYPP statement in parliament and motion on FR	PO & Parli Business to schedule Policy team to draft statement Policy & comms to advise on media handling

Lewis Hedge

Deputy Director, Curriculum and Qualifications – Scottish Government

e: lewis.hedge@gov.scot
m: [Redaction – Section 38(1)(b)]

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

**Document 34: Ministerial Meetings - ROE Bill to 24 Sept -
Possible Sequencing - Subject to Ministerial/SpAds' Feedback**

From: [Redaction – Section 38(1)(b)]
Sent: 16 September 2025 17:07
To: Minister for Children, Young People and The Promise;
[Redaction – Section 38(1)(b)]
Cc: [Redaction – Section 38(1)(b)]; Lewis Hedge; [Redaction –
Section 38(1)(b)]; [Redaction – Section 38(1)(b)];
[Redaction – Section 38(1)(b)]; [Redaction – Section
38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction –
Section 38(1)(b)]; [Redaction – Section 38(1)(b)];
[Redaction – Section 38(1)(b)]; PLU Bill Programme;
[Redaction – Section 38(1)(b)]; SGLD School Education;
Clare Hicks; Cabinet Secretary for Education & Skills 2024;
Communications Education & Skills
Subject: Ministerial Meetings - ROE Bill to 24 Sept - Possible
Sequencing - Subject to Ministerial / SpAds' Feedback

[Redaction – Section 38(1)(b)] –

We spoke with regards the below timeline of potential additional Ministerial meetings to potentially be arranged by PO between now and 24-25 September.

Subject to Ministerial preference and SpAds' views, it is proposed that the following sequencing of engagements could be pursued in the coming days:

- Ministerial meeting with Liz Smith MSP – to be arranged subject to outcome of decision tomorrow, to be scheduled for as soon as possible ahead of 24 September
 - [Redaction – Section 30(b)(i)] – [Redaction – Section 29(1)(b)].
- Ministerial meetings (bilateral) with opposition Members – subject to the outcomes of any Ministerial meeting with Liz Smith MSP (above), to be scheduled ahead of 24 September – optioned Ross Greer MSP, Willie Rennie MSP, John Mason MSP, Pam Duncan-Glancy MSP – **SpAds to advise**
 - [Redaction – Section 30(b)(i)]

Separately,

- Ministerial meeting with COSLA political leaders, Cllr Buchanan and Cllr Hagmann – to be arranged for the day of the Parliamentary Statement (c. 24 September, tbc), subject to Ministerial preference (note: caveat around how much may feasibly be discussed ahead of any statement – timing will be important to consider here)
 - o **[Redaction – Section 30(b)(i)]**

Officials are also aware that SpAds may already have been pursuing separate discussions with COSLA political leadership around this Bill, which would need to be considered alongside the above options.

Hope this is helpful, happy to discuss further as appropriate.

Ta,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot



[Scotland's Curriculum for Excellence \(scotlandscurriculum.scot\)](https://scotlandscurriculum.scot)
[Breaking the Mould: Principles for an anti-racist curriculum](#)
[Target 2030: Scotland's Action Plan on Learning for Sustainability](#)

From: Lewis Hedge

Sent: 15 September 2025 17:02

To: Minister for Children, Young People and The Promise

Cc: **[Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; PLU Bill Programme ; [Redaction – Section 38(1)(b)] ; SGLD School Education ; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Clare Hicks ; Cabinet Secretary for Education & Skills**

2024 ; Communications Education & Skills

Subject: RE: Updated advice

Thanks **[Redaction – Section 38(1)(b)]**.

Grateful if PLU colleagues could arrange for this to issue formally.

Lewis

Lewis Hedge – DD Curriculum and Qualifications

e: lewis.hedge@gov.scot; m: **[Redaction – Section 38(1)(b)]**

From: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot> **On Behalf Of**
Minister for Children, Young People and The Promise

Sent: 15 September 2025 15:38

To: Lewis Hedge <Lewis.Hedge@gov.scot>; Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>

Cc: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; PLU Bill Programme <PLUBillProgramme@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; SGLD School Education <SGLDSE@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Communications Education & Skills <CommunicationsEducationandSkills@gov.scot>

Subject: RE: Updated advice

This email is for the official record and confirms a Ministerial Decision. This email must be placed in the official record (eRDM) by your team in line with SG records management policy.

Hi Lewis,

The Minister is content.

Best wishes

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Deputy Private Secretary to Cabinet Secretary for Education and Skills – Jenny Gilruth MSP

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

**Document 35: URGENT - [Redaction – Section 29(1)(b)]
follow-up - Schools (Residential Outdoor Education)
(Scotland) Bill - Agreement to Scottish Government Position
on the Financial Resolution - responses requested by noon
on Wednesday, 17 September 2025**

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; **On Behalf Of**
Cabinet Secretariat Inbox

Sent: 16 September 2025 11:06

To: Deputy First Minister and Cabinet Secretary for Economy & Gaelic
<DFMCSEG@gov.scot>; Cabinet Secretary for Finance & Local Government
<CabSecFLG@gov.scot>; Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>;
Lord Advocate <LordAdvocate@gov.scot>

Cc: Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>;
Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Solicitor General
<SolicitorGeneral@gov.scot>; Permanent Secretary <PermanentSecretary@gov.scot>;
Solicitor to the Scottish Government <solicitor@gov.scot>; Chief Parliamentary Counsel
<ChiefParliamentaryCounsel@gov.scot>; Legal Secretariat to the Lord Advocate
<LegalSecretariattotheLordAdvocate@gov.scot>; Andrew Bruce <Andrew.Bruce@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>;; Cabinet Secretariat Inbox <CabinetSecretariat@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; DG Education & Justice <dgej@gov.scot>; Clare Hicks
<Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; Lisa Bird
<Lisa.Bird@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; SGLD School Education
<SGLDSE@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Jonathan Brown
<Jonathan.Brown2@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>;
[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section

Routine: Please find attached a new paper on behalf of the Minister for Children, Young People and The Promise

<< File: [Redaction – Section 29(1)(b)] - Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - 5 September 2025.pdf >> (29 pages)

Responses are requested by **11.00am on Friday, 12 September 2025.**

Many thanks, Suzanne

[Redaction – Section 38(1)(b)] | Scottish Government | Cabinet, Parliament and Governance Division | Tel: [Redaction – Section 38(1)(b)] | email: [Redaction – Section 38(1)(b)]@gov.scot

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 36: RE: URGENT - [Redaction – Section 29(1)(b)] follow-up - Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to SG position on FR - 16 September 2025

From: [Redaction – Section 38(1)(b)]
Sent: 16 September 2025 15:56
To: Cabinet Secretary for Finance & Local Government
Cc: [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]
Subject: RE: URGENT - [Redaction – Section 29(1)(b)] follow-up - Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - responses requested by noon on Wednesday, 17 September 2025

Hi [Redaction – Section 38(1)(b)],

Yes, we would add the following to our advice shared last week.

I hope this is helpful but please let us know if we can provide anything further.

Thanks,
[Redaction – Section 38(1)(b)]

Revised [Redaction – Section 30(b)(i)] recommendation

The revised recommendation is to lodge a financial resolution for the Schools (Residential Outdoor Education) (Scotland) Bill – as discussed with you at meetings on 11th and 12th of September.

The [Redaction – Section 30(b)(i)] paper sets out an approach to address the affordability and deliverability concerns which include:

- Reducing the costs by removing the duty to fund provision or target the duty to fund, for example, on grounds of equity or additional support needs;
- Insert a power to make commencement regulations to allow secondary legislation to be made or laid when Ministers are satisfied that known challenges have been sufficiently addressed;
- Working with the Member in Charge at Stage 2 on bill amendments;
- Further engagement with COSLA and the teaching unions to seek their support to the points noted above; and
- Retaining the option of an alternative non-legislative approach such as a pilot programme, and supported by an independently-led taskforce.

Finance advice

Our finance advice remains that the Bill, as currently drafted, is unaffordable and would require significant reprioritisation either within the Education portfolio or across the wider SG. There are also deliverability risks which remain.

If the Bill were to pass in its current form, it would have substantial financial implications **[Redaction – Section 30(b)(i)]**. Therefore, it is critical that, in enabling the Bill to proceed to Stage 2, appropriate amendments are made to ensure it is both affordable and practically deliverable

Suggested response (finance recommended)

[Redaction – Section 30(b)(i)].

Suggested response ([Redaction – Section 30(b)(i)])

[Redaction – Section 30(b)(i)]

From: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot> **On Behalf Of**
Cabinet Secretary for Finance & Local Government

Sent: 16 September 2025 11:29

To: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>;

Cc: **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; **[Redaction – Section 38(1)(b)]** <**[Redaction – Section 38(1)(b)]**@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>

Subject: FW: URGENT - **[Redaction – Section 29(1)(b)]** follow-up - Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the Financial Resolution - responses requested by noon on Wednesday, 17 September 2025

Importance: High

Hi **[Redaction – Section 38(1)(b)]**/**[Redaction – Section 38(1)(b)]**,

Please find attached follow up **[Redaction – Section 30(b)(i)]** paper. Is there anything further that you would add to your advice attached?

Thanks

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)] | Deputy Private Secretary | Cabinet Secretary for Finance and Local Government – Shona Robison MSP | Scottish Government | St Andrew's House | Regent Road | Edinburgh | EH1 3DG | M: **[Redaction – Section 38(1)(b)]** | E: CabSecFLG@gov.scot

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

**Document 37: Urgent - Ministerial Submission - ROE Bill
Financial Resolution Motion - Response Invited by 19
September 2025**

From: **[Redaction – Section 38(1)(b)]**
Sent: 17 September 2025 18:02
To: Cabinet Secretary for Finance & Local Government; Minister for Children, Young People and The Promise
Cc: Cabinet Secretary for Education & Skills 2024; Minister for Parliamentary Business 2024; DG Education & Justice; Clare Hicks; Lewis Hedge; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; SGLD School Education; **[Redaction – Section 38(1)(b)]**; Jonathan Brown; PLU Bill Programme; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; Spads Admin; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**
Subject: Urgent - Ministerial Submission - ROE Bill Financial Resolution Motion - Response Invited by 19 September 2025
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Financial Resolution Submission - Final - Submitted 17 September 2025.docx

Cabinet Secretary for Finance & Local Government
Minister for Children, Young People & The Promise

Schools (Residential Outdoor Education) (Scotland) Bill: Submission on Motion for Financial Resolution

Please find attached a submission seeking your agreement to the terms of the draft Financial Resolution for the above Member's Bill. **[Redaction – Section 29(1)(b)]**.

A response by Friday 19 September is invited.

Kind regards

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Private Secretary to Minister for Children, Young People and The Promise – Natalie Don-Innes MSP

The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mobile: **[Redaction – Section 38(1)(b)]** | Email: MinisterCYPTP@gov.scot

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

**Document 39: Urgent - Ministerial Briefing - ROE Bill
Meeting w-Liz Smith MSP 16:30 18 September**

From: **[Redaction – Section 38(1)(b)]**
Sent: 18 September 2025 11:01
To: Cabinet Secretary for Education & Skills 2024; Minister for Children, Young People and The Promise
Cc: Minister for Parliamentary Business 2024; PLU Bill Programme; Clare Hicks; Lewis Hedge; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; SGLD School Education; Jonathan Brown; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; **[Redaction – Section 38(1)(b)]**; Spads Admin; **[Redaction – Section 38(1)(b)]**
Subject: Urgent - Ministerial Briefing - ROE Bill Meeting w-Liz Smith MSP 16:30 18 September
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Ministerial Meeting w-Liz Smith MSP 18-9 - Briefing FINAL - Submitted 18 September 2025.docx; RE: Ministerial Meetings - ROE Bill to 24 Sept - Possible Sequencing - Subject to Ministerial / SpAds' Feedback

Minister / Cabinet Secretary –

Please find briefing attached for your joint meeting with Liz Smith MSP today at 16:30 to further discuss the Schools (Residential Outdoor Education) (Scotland) Bill.

Official support will be provided by:

- **[Redaction – Section 38(1)(b)]**, Deputy Director Curriculum & Qualifications (virtual)
- **[Redaction – Section 38(1)(b)]**, Team Leader LfS & Outdoor Learning (in-person)

Officials stand ready to attend any pre-meeting, should this be helpful.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2:Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 40: Schools (ROE)(S) Bill - MinCYPP note to FM following LS meeting

From: Lewis Hedge
Sent: 18 September 2025 20:39
To: Minister for Children, Young People and The Promise; Cabinet Secretary for Education & Skills 2024
Cc: Minister for Parliamentary Business 2024; PLU Bill Programme; [Redaction – Section 38(1)(b)]; Clare Hicks; Lewis Hedge; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; SGLD School Education; Jonathan Brown; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Spads Admin; [Redaction – Section 38(1)(b)]
Subject: Schools (ROE)(S) Bill - MinCYPP note to FM following LS meeting
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Note to FM - Outcome of Liz Smith MSP Meeting 18-9 - DRAFT 18 September 2025.docx

PO

Please find attached a note to the FM that the Minister and Cab Sec requested be drafted this evening following their meeting with Liz Smith MSP earlier. It is written from the Minister but I gather Cab Sec may also wish to review.

[Redaction – Section 38(1)(b)] has yet to see, given the hour.

Lewis

Lewis Hedge

Deputy Director, Curriculum and Qualifications – Scottish Government

e: lewis.hedge@gov.scot

m: [Redaction – Section 38(1)(b)]

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

**Document 41: Ministerial Review - ROE Bill - Draft
Parliamentary Statement - Submitted 22 September 2025**

From: [Redaction – Section 38(1)(b)]
Sent: 22 September 2025 15:47
To: Minister for Children, Young People and The Promise
Cc: Cabinet Secretary for Education & Skills 2024; Cabinet Secretary for Finance & Local Government; Deputy First Minister and Cabinet Secretary for Economy & Gaelic; Lord Advocate; Minister for Parliamentary Business 2024; Clare Hicks; Lewis Hedge; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Spads Admin; PLU Bill Programme; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]; Jonathan Brown; [Redaction – Section 38(1)(b)]; Communications Education & Skills; [Redaction – Section 38(1)(b)]; DG Education & Justice; SGLD School Education; [Redaction – Section 38(1)(b)]; [Redaction – Section 38(1)(b)]
Subject: Ministerial Review - ROE Bill - Draft Parliamentary Statement - Submitted 22 September 2025
Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Financial Resolution - Parliamentary Statement 24-9 - DRAFT 22 September 2025.docx

Minister –

**Schools (Residential Outdoor Education) (Scotland) Bill: DRAFT
Parliamentary Statement, 24 September**

Please find attached an initial draft parliamentary statement on the above Bill, specifically concerning Government's formal position to lodge a motion for a Financial Resolution this week, which you are invited to review.

This draft has been cleared by Clare Hicks, Director of Education Reform. SpAds have also reviewed and are content.

A marker has been added regarding Government's voting intention on the FR motion, which **Ministers are invited to confirm their preference** around. [Redaction – Section 30(b)(i)].

Associated briefing will be provided separately as discussed with PO.

Officials stand ready to make any amendments to the draft statement, should this be desirable, and would also be happy to discuss any points on handling in advance of the statement slot on Wednesday at 14:50, if helpful.

Thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2:Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

[Redaction – Section 38(1)(b)]@gov.scot

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

**Document 42: RE: Ministerial Review - ROE Bill - Draft
Parliamentary Statement and briefing - Submitted 22
September 2025**

From: **[Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>**
Sent: **Tue 23/09/2025 10:20**
To: **Minister for Children, Young People and The Promise <MinisterCYPTP@gov.scot>**
Cc: **Cabinet Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; Cabinet Secretary for Finance & Local Government <CabSecFLG@gov.scot>; Deputy First Minister and Cabinet Secretary for Economy & Gaelic <DFMCSEG@gov.scot>; Lord Advocate <LordAdvocate@gov.scot>; Minister for Parliamentary Business 2024 <MinisterPB@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Spads Admin <Spads_Admin@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Jonathan Brown <Jonathan.Brown3@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; Communications Education & Skills <CommunicationsEducationandSkills@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; DG Education &**

Justice <dgej@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>

Subject: RE: Ministerial Review - ROE Bill - Draft Parliamentary Statement - Submitted 22 September 2025

Minister –

As discussed with PO, following some feedback from Education Scotland, please note that officials have made some small amendments to the case study references included in the draft statement at page 4. The changes are to best reflect current awareness of activities under way in the two referenced schools – Cedarbank and Ulva Primary – as aligned with latest teacher feedback and school handbooks. The amended version of the statement is attached.

Please also now find attached **draft briefing** to sit alongside the statement.

Officials are happy to make any amends/ provide additional information as appropriate following the pre-meeting today at 12:00.

Thanks,

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Team Leader: Learning for Sustainability (LfS) & Outdoor Learning

Curriculum Unit 2: Society, Citizenship, the Arts and Languages | Curriculum & Qualifications Division | Directorate for Education Reform

PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S) THAT ACCOMPANIED THIS EMAIL.

Document 43: Improving Provision and Access to Residential Outdoor Education for Children and Young People in Scotland

From: [Redaction – Section 38(1)(b)] on behalf of Minister for Children, Young People and The Promise
Sent: 24 September 2025 13:50
To: DL Ministers; DL Cabinet Secretaries
Cc: Minister for Children, Young People and The Promise
Subject: Improving Provision and Access to Residential Outdoor Education for Children and Young People in Scotland

Attachments: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2
- Financial Resolution Position - Parliamentary Statement - 24
September 2025.docx

PS/ Cabinet Secretaries
PS/ Ministers

Please find attached a copy of the statement to be delivered by Ms Don-Innes in the chamber at 14:50 this afternoon.

Many thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Assistant Private Secretary to the Minister for Children, Young People and The Promise
– **Natalie Don-Innes MSP**

Scottish Government | St Andrew's House, Regent Road | Edinburgh | EH1 3DG| E:
ministercyp@gov.scot | M: [Redaction – Section 38(1)(b)]

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

Document 44: Supps

From: [Redaction – Section 38(1)(b)] on behalf of Minister for
Children, Young People and The Promise
Sent: 24 September 2025 16:17
To: [Redaction – Section 38(1)(b)]
Cc: Minister for Children, Young People and The Promise
Subject: Supps
Attachments: Supplementary Questions.docx

Hi [Redaction – Section 38(1)(b)],

Please find attached as discussed.

Many thanks,
[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

Assistant Private Secretary to the Minister for Children, Young People and The Promise
– **Natalie Don-Innes MSP**

Scottish Government | St Andrew's House, Regent Road | Edinburgh | EH1 3DG| E:
ministercyp@gov.scot | M: [Redaction – Section 38(1)(b)]

**PLEASE SEE THE ATTACHMENT FILE FOR ANY IN-SCOPE ATTACHMENT(S)
THAT ACCOMPANIED THIS EMAIL.**

Document 45: RE: ROE - FR - Lines to take

From: Lewis Hedge <Lewis.Hedge@gov.scot>
Sent: Thu 25/09/2025 11:32
To: Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>
Cc: [Redaction – Section 38(1)(b)] <[Redaction – Section
38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Cabinet Secretary
for Education & Skills 2024 <CabSecES2024@gov.scot>; [Redaction – Section
38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: RE: ROE - FR - Lines to take

[Redaction – Section 38(1)(b)]

Please see attached with overarching top lines that should suffice for a general response to an intervention, as well as key speaking points if more specificity is needed on the handling of the FR, the approach to Stage 2 agreed with Liz Smith MSP, the concerns around affordability, equity and workforce, as well as the timeline of key engagements Min CYPP has undertaken and a one-pager on wider outdoor education commitments.

Lewis

Lewis Hedge – DD Curriculum and Qualifications
e: lewis.hedge@gov.scot; m: [Redaction – Section 38(1)(b)]

From: [Redaction – Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
On Behalf Of Minister for Children, Young People and The Promise
Sent: 25 September 2025 10:12
To: Lewis Hedge <Lewis.Hedge@gov.scot>; [Redaction – Section 38(1)(b)]
<[Redaction – Section 38(1)(b)]@gov.scot>
Cc: Minister for Children, Young People and The Promise
<MinisterCYPTP@gov.scot>; [Redaction – Section 38(1)(b)] <[Redaction –
Section 38(1)(b)]@gov.scot>; Clare Hicks <Clare.Hicks@gov.scot>; Cabinet
Secretary for Education & Skills 2024 <CabSecES2024@gov.scot>; [Redaction –
Section 38(1)(b)] <[Redaction – Section 38(1)(b)]@gov.scot>
Subject: ROE - FR - Lines to take
Importance: High

Hi Lewis

As you're aware the FR will be moved in Parliament today. Unfortunately Ms Don-Innes is unwell and working remotely so Ms Gilruth will be moving the motion in her place in the chamber.

Could we please have some lines prepped in case someone else speaks during the segment? Its unlikely to be required but it would be good to have a few salient points and potential rebuttals just in case.

We will need these asap but no later than 14:00 please.

Kind regards

[Redaction – Section 38(1)(b)]

[Redaction – Section 38(1)(b)]

**Private Secretary to Minister for Children, Young People and The Promise –
Natalie Don-Innes MSP**

The Scottish Government

St Andrews House | Regent Road, Edinburgh, EH1 3DG

Mobile: **[Redaction – Section 38(1)(b)]** | Email: MinisterCYPTP@gov.scot

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Attachment 1: Ministerial Meeting w-COSLA - 6 August 2025 - Briefing FINAL - submitted 4 August 2025

What	Meeting with COSLA to discuss the Schools (Residential Outdoor Education) (Scotland) Bill.
When	12:00-12:30, Wednesday 6 August 2025
Where	Microsoft Teams.
Who	Cllr Tony Buchanan (SNP), COSLA Children & Young People Spokesperson Cllr Katie Hagmann (SNP), COSLA Resources Spokesperson
Why	Government officials met with COSLA officials on 5 July. [Redaction – Section 30(b)(ii)] COSLA officials have made clear that without the endorsement of their political leaders’ to explore any alternative non-legislative approaches, they cannot commit time or resources to this work. [Redaction – Section 30(b)(ii)]

Key messages	<ul style="list-style-type: none"> • As the Bill passed Stage 1 it represents the will of Parliament, which must be responded to, whether or not the Bill progresses. • Significant concerns remain regarding the affordability and deliverability of the Bill. • To inform a decision on whether or not to lodge a motion for a Financial Resolution by September to enable the Bill to progress, Ministers require consideration be given to what a viable alternative non-legislative approach to delivery may look like, in line with the principles of the Bill. • I am keen to discuss how we might effectively work together to achieve this.
Official support	Lewis Hedge (Deputy Director, Curriculum and Qualifications) [Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)
Agenda	There is no fixed agenda, but given the limited time available it is proposed that you may wish to structure the meeting as follows: Redaction – Section 30(b)(i)]
Main objective	<ul style="list-style-type: none"> • To emphasise that as the Bill passed at Stage 1 it represents the will of Parliament, and so, if Government does not lodge a motion for a Financial Resolution then a viable alternative must be given. • To seek agreement from COSLA leaders to their officials working with Government to explore non-legislative options that take account of deliverability concerns.
Briefing contents	Biography Item 1: Shared concerns around the Bill Item 2: Alternative policy-based “route map” for improving provision [Redaction – Out of scope] Annex B: Alternative policy-based “route map” proposal

BIOGRAPHY

COUNCILLOR TONY BUCHANAN (SNP)



Councillor Tony Buchanan is the COSLA Spokesperson for Children and Young People and represents Neilston and Newton Mearns North in East Renfrewshire Council (ERC).

He has been part of the administration of ERC since election in 2007 and was Leader of East Renfrewshire Council for the term 2017 – 2022.

He has served as Deputy Leader and Convener for infrastructure and sustainable growth in the council.

Outside his role as a Councillor, he is a Civil Servant and has worked in DWP and its predecessors for 38 years dealing with the benefits system.

He has been a member of COSLA Convention since 2007 and COSLA Leaders Group since 2017, and was appointed as COSLA's Spokesperson for Children and Young People in June 2022.



COUNCILLOR KATIE HAGMANN (SNP)

Councillor Katie Hagmann is the COSLA Resources Spokesperson, and she was elected to Dumfries and Galloway Council in 2017.

She currently holds the position of Convener of Dumfries and Galloway Council, Civic Head, and Depute Political Leader, leading a minority administration.

Her previous roles within council include Joint Lead for the Finance, Procurement and Transformation Committee, where she worked cross-party to co-produce Council budgets. She has also served as Chair of the Economy & Resources Committee and Chair of the Harbours Committee. Appointed by council, Ms Hagmann has chaired the Local Employability Partnership and has been a member of the North Channel Partnership Group and the Dumfries and Galloway Housing Forum.

<p>ITEM 1</p>	<p>Shared concerns around the Bill An opportunity for you to hear COSLA’s outstanding concerns around the Bill, provide an update on discussions with Liz Smith MSP, and seek agreement from COLSA to put their views on the outstanding challenges presented by the legislation on public record.</p>
<p>Issue/ background</p>	<p>[Redaction – Section 30(b)(ii)]</p> <p><u>Summary of progress to date made by Liz Smith MSP</u> You last met with Liz Smith MSP on 1 July to discuss further work she has undertaken on the Bill, and potential Stage 2 amendments. In that meeting she gave updates on her work in responding to your outstanding concerns, this included: having met COSLA political leaders on 12 June; and having met other Members to explore openness to targeting provision to reduce costs of the Bill. She has since written to you on 31 July to update you on her engagement with the sector and updated cost modelling.</p> <p><u>On affordability*</u></p> <ul style="list-style-type: none"> • Liz Smith MSP has provided revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment. As part of these estimates, Liz Smith MSP has attempted to produce revised cost figures associated with staffing and transport, and as adjusted for inflation. <p>[Redaction – Section 29(1)(a)]</p> <p>*Note: Latest SG estimates around the potential financial costs of the Bill, as introduced, suggest an annual cost of the Bill ranging from £24.8 million to £41.5 million (assuming 2026/27 as Year 1 roll out). As you are aware, this is likely an underestimate due to outstanding gaps in cost variables including within the Financial Memorandum modelling.</p> <p>In her latest letter to you dated 31 July, Liz Smith MSP has provided revised estimates based on a more targeted approach that concludes: “the targeted provision model for all primary children [across P6 or P7] in receipt of the SCP and/or with an ASN would cost in the region of £15,289,000 to £16,832,000 [per annum].” [adjusted for inflation]</p> <p>The current Education & Skills portfolio budget 2025-26 is fully allocated, and there is little flexibility to move funding to new areas of priority without deprioritizing existing activities. [Redaction – Section 29(1)(a)]</p> <p><u>On equity of provision,</u></p> <ul style="list-style-type: none"> • Liz Smith MSP has referred in her letter dated 5 June to the National Sports Training Centre (NSTC) in Inverclyde – which can accommodate up to 120 pupils, with 6 beds adapted with

	<p>hoists for those requiring additional support – as an example of growth in sector capacity to accommodate pupils with ASN. In her letter dated 31 July, Liz Smith MSP has referred to the potential of public-private finance to support new infrastructure development.</p> <p>[Redaction – Section 29(1)(a)]</p> <p><u>On workforce implications.</u></p> <ul style="list-style-type: none"> • Liz Smith MSP has met with COSLA on 12 June to discuss, with their position outlined in their letter of 20 June (Annex A). • Liz Smith MSP has not engaged trade unions to explore the potential implications of her Bill as introduced, and has confirmed that she does not believe that it would be appropriate for her to do so.
<p>Key message(s)</p>	<ul style="list-style-type: none"> • The Scottish Government shares COLSA’s concerns that the Bill, as introduced, has areas that must still be addressed – the Education Committee is clear on this. • Legislating in the curriculum also risks undermining local leadership to design the curriculum in ways that best meet learners’ needs. • But the Bill process has progressed fresh discussion around the value of outdoor learning, and opportunities for improving consistency in provision and access to residential. • Reflecting the will of Parliament, it is important that we build on the insights this process has generated.
<p>Suggested questions or speaking points</p>	<p>Speaking points:</p> <ul style="list-style-type: none"> • I am aware that some local authorities are also already supporting residential outdoor education, with parental and other contributions, including supporting young people and families to participate where cost is an issue. • Indeed, given current pressures on public finances, an important consideration is ensuring value for money and improved services to those most in need. • By attempting to legislate in the curriculum, the Bill also risks undermining the approach set out under the Curriculum for Excellence to empower schools and practitioners to deliver teaching and learning experiences that best meet the needs of individual pupils. • Ministers will confirm their decision on whether to bring forward a motion for a Financial Resolution by September. <p>You may wish to then ask:</p> <ul style="list-style-type: none"> • Views on existing provision of residentials in Scotland? Strengths, opportunities, gaps? • Impacts of the Bill on existing practices and local authority support? • Any COSLA modelling of the financial impacts of the Bill? • Are you willing to put on record COSLA’s views on the remaining challenges of affordability, equity and workforce

	implications facing the Bill e.g. by writing to the Education Committee?
Contact	[Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning) [Redaction – Section 38(1)(b)] (Senior Policy Officer, LfS & Outdoor Learning)

ITEM 2	[Redaction – Section 30(b)(i)]
Issue/ background	<p>[Redaction – Section 30(b)(ii)]</p> <p>COSLA officials have advised that the next meeting of their relevant Education governance group is on 29 August, and that any confirmation of a decision by COSLA leaders to engage with Government on [Redaction – Section 30(b)(ii)]</p> <p><u>Handling: Developing a Policy-Based Route Map Approach</u> Certainty and assurances from Ministers on multi-year funding for any policy-based alternative will be sought by Parliament, should the Bill fall. [Redaction – Section 30(b)(ii)] [Redaction – Section 30(b)(i)]</p> <p>It is not feasible with the time remaining for a fully developed plan for design and implementation of any alternative policy-based approach to be in place by September. [Redaction – Section 29(1)(a)]</p> <p><u>Annex B</u> sets out [Redaction – Section 30(b)(ii)]</p> <p>[Redaction – Section 29(1)(a)]</p> <p>[Redaction – Section 29(1)(b)]</p> <p>[Redaction – Section 30(b)(i)]</p>
Key message(s)	<ul style="list-style-type: none"> Government will need to provide assurances on what alternative policy-based activities will be undertaken to reflect the will of Parliament expressed at Stage 1 to improve provision of residential outdoor education, should Ministers decide not to lodge a motion for a Financial Resolution.
Suggested questions or speaking points	<p>Speaking points:</p> <ul style="list-style-type: none"> As I stated at Committee on 11 June, I am exploring all potential options for improving provision of residential outdoor education in case the outstanding concerns around the legislation – identified by both government and Committee – cannot be addressed. Any policy-based alternative to the Bill must be seen as credible – this requires the collaboration of key partners, including COSLA. I am keen to find a way to work together on this. <p>You may then wish to ask:</p> <ul style="list-style-type: none"> Will you commit to working with the Government to develop an informed and deliverable set of alternative proposals for improving the provision of outdoor education?
Contact	[Redaction – Section 38(1)(b)](Team Leader, LfS & Outdoor Learning)

COSLA LETTER TO LIZ SMITH MSP

*Attached separately alongside this briefing.

[Redaction – Section 29(1)(a)]

[Redaction – Section 29(1)(a)]

Attachment 2: Cross-Portfolio Ministerial Meeting on Financial Resolution Handling 12 August - Briefing FINAL - submitted 7 August

What	Cross-portfolio Ministerial meeting to discuss and agree handling around Financial Resolution for the Schools (Residential Outdoor Education) (Scotland) Bill
When	13:30-14:30, Tuesday 12 August 2025
Where	Microsoft Teams
Who	Cabinet Secretary for Finance & Local Government Cabinet Secretary for Education & Skills Minister for Parliamentary Business
Why	[Redaction – Section 30(b)(i)] Following the passing of the Bill at Stage 1 in March 2025, Ministers have up to 6 months (Friday 26 September 2025) to confirm to Parliament the Government’s position on the Financial Resolution. . The purpose of this meeting is for you to discuss handling options with your Ministerial colleagues and to agree whether or not Government should lodge a motion for a Financial Resolution, and associated handling.
Official support	Clare Hicks (Director, Education Reform) [Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)
Agenda	1. Update on developments following Stage 1 2. Appraisal of options for Financial Resolution handling
Main objective	To seek cross-Ministerial agreement on whether or not to lodge a motion for a Financial Resolution by September, and associated handling (including with regards engaging [Redaction – Section 30(b)(i)] and Parliament).
Briefing contents	Item 1: Update on developments following Stage 1 Item 2: Financial Resolution handling Annex A: Conditions Outlined to Liz Smith MSP to Inform a Decision on the Financial Resolution Annex B: Revised Liz Smith MSP Financial Modelling Annex C: [Redaction – Section 30(b)(ii)]

<p>ITEM 1</p>	<p>Update on developments following Stage 1 This is an opportunity for you to provide a short overview of the work you have led since conclusion of Stage to engage Liz Smith MSP, opposition Members, and COSLA, to consider the outstanding concerns around the Bill. You may wish to reflect that while some progress has been made by the Member in Charge, there remain outstanding concerns to be addressed.</p>
<p>Issue/ background</p>	<p>Summary of Progress to Date Made by Liz Smith MSP Since the conclusion of Stage 1, you have met with Liz Smith MSP in April and July and exchanged several letters of correspondence setting out your clear expectations (“conditions”) to be met by the Member in Charge, to inform your discussions with Ministerial colleagues around Financial Resolution handling (see Annex A). You will have met Liz Smith MSP for a third time on the morning of 12 August (the same day as this meeting).</p> <p><u>Based on engagement and correspondence prior to 12 August:</u></p> <p>1. On affordability*,</p> <ul style="list-style-type: none"> • Liz Smith MSP has provided revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment. As part of these estimates, Liz Smith MSP has attempted to produce revised cost figures associated with staffing and transport, and as adjusted for inflation (Annex B). <p>[Redaction – Section 29(1)(a)]</p> <p>* SG estimates of the potential financial costs of the Bill, as introduced, suggest an annual cost of the Bill ranging from £24.8 million to £41.5 million (assuming 2026/27 as Year 1 roll out). As you are aware, this is likely an underestimate due to outstanding gaps in cost variables.</p> <p>2. On equity of provision,</p> <ul style="list-style-type: none"> • Liz Smith MSP has referred in her letter dated 5 June to the National Sports Training Centre (NSTC) in Inverclyde – which can accommodate up to 120 pupils, with 6 beds adapted with hoists for those requiring additional support – as an example of growth in sector capacity to accommodate pupils with ASN. In her letter dated 31 July, Liz Smith MSP has referred to the potential of public-private finance to support new infrastructure development. <p>[Redaction – Section 29(1)(a)]</p> <ul style="list-style-type: none"> • In her letter dated 31 July, Liz Smith MSP acknowledges a new trend across some centres of between 15-20% of pupils signed up to attend a residential not turning up, and notes one reason for this appears to be anxiety of either/both the young person or their parents.

3. On workforce implications,

- **Liz Smith MSP has** met with COSLA on 12 June to discuss, with their position outlined in their letter of 20 June.
- **Liz Smith MSP has not** engaged trade unions to explore the potential implications of her Bill as introduced, and has confirmed that she does not believe that it would be appropriate for her to do so.

Position of Other Stakeholders

EYCP Committee (Stage 1 Report)

The lead Committee published its Stage 1 Report on 4 February. In summary, the Committee concluded that it supports the principles of the Bill but recognises there are a number of concerns relating to implementation including financial affordability and potential implications for teachers' terms and conditions. The Committee indicated that the Bill "should only proceed providing these concerns can be addressed".

Opposition Members

You have engaged **[Redaction – Section 30(b)(ii)]**

COSLA

In their letter of 20 June, Cllr Buchanan and Cllr Hagmann wrote to Liz Smith MSP on behalf of COSLA reiterating their concerns with the Bill. These included issues surrounding finances, workforce and staffing, centre capacity and logistics, and equity and inclusion (see **Annex C**). They outlined that they believed that targeted provision would result in the same difficulties, just at a different scale. They also stated that targeted provision may lead to stigma and did not believe that it would be the best use of resources.

You then met with Cllr Buchanan and Cllr Hagmann on 6 August to discuss their position on the Bill, as introduced, **[Redaction – Section 30(b)(ii)]**

ADES

As you are aware, policy officials have engaged the Association of Directors of Education in Scotland (ADES) alongside COSLA counterparts on several occasions following Stage 1 to discuss the Bill. ADES share similar concerns to COSLA around both affordability and deliverability of the provisions, as introduced. **[Redaction – Section 30(b)(ii)]**

Teacher Trade Unions

We know from the evidence submitted by trade unions to the Education Committee during Stage 1 that there are concerns around workforce implications, should the Bill become law. There remain outstanding questions around whether a change in teacher contracts would be required in this circumstance, which also raises the possibility of additional remuneration requirements. Informal feedback from the Joint Secretaries of the Scottish Negotiating

	<p>Council for Teachers meeting on 3 July is that the trade unions have not changed their position since Stage 1. The Financial Memorandum assumes that teachers would continue to engage in provision of residentials on a voluntary basis.</p>
<p>Suggested questions or speaking points</p>	<p>Suggested key speaking points:</p> <ul style="list-style-type: none"> • The Education Committee concluded at Stage 1 that the Bill should only proceed if key concerns around deliverability of the provisions can be addressed. Nevertheless, Parliament has expressed its support for the aims of the Bill. • To navigate these issues, I have engaged with Liz Smith MSP throughout the summer to discuss her Bill, as well as with opposition Members and COSLA. • [Redaction – Section 30(b)(ii)]. • Nevertheless, there remain significant challenges around deliverability – in particular relating to workforce implications and equity of provision and sector capacity. To overcome these issues would require concerted effort by Government, if the Bill progressed. • I also do not believe that the Member in Charge has established full clarity on the total potential costs of the Bill that we can consider robust, due to the limited data available. • [Redaction – Section 30(b)(ii)] • The Bill – even in a more targeted form and within existing modelling – continues to represent a substantive budgetary pressure that is not affordable [Redaction – Section 30(b)(i)] • [Redaction – Section 30(b)(ii)].
<p>Contact</p>	<p>[Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)</p>

ITEM 2	Financial Resolution handling
Issue/ background	<p><u>Financial Resolution Mechanism & Process</u> Standing Orders Rule 9.12.7 provides that a motion for a Financial Resolution can only be lodged and moved by a member of the Scottish Government (i.e. a Cabinet Secretary) or a junior Scottish Minister. The Scottish Ministerial code requires that the motion be lodged in the name of the Cabinet Secretary with responsibility for finance.</p> <p>Therefore, given Liz Smith’s MSP Bill passed Stage 1, the Scottish Government must consider if it is content for the costs associated with the Bill to be authorised and for the Bill to proceed to Stage 2. If Ministers are content, then a Financial Resolution should be instructed and lodged by the Minister for Parliamentary Business by 26 September. If not, then no motion for a resolution is lodged and the Bill falls automatically.</p> <p>[Redaction – Section 29(1)(b)] During the Stage 1 debate you made clear to Parliament that Ministers would only do so within the 6 month timeline <u>“if and when affordability of the provisions – and other practical implementation challenges – can be assured”</u>. There remain outstanding issues to be addressed by Liz Smith MSP in this respect (see Item 1).</p> <p>There is no obligation on the Scottish Government to lodge a motion for a financial resolution for a Member’s Bill, [Redaction – Section 29(1)(b)]</p> <p>Ministers will need to confirm a decision on Financial Resolution handling to Parliament by 26 September.</p> <p><u>Handling Options</u></p> <p>There are two options available to Ministers at this stage:</p> <ol style="list-style-type: none"> 1. Lodge a motion for a Financial Resolution, Bill progresses 2. Do not lodge a motion for a Financial Resolution, Bill falls <p>[Redaction – Section 30(b)(i)] Should the Bill progress, this would also divert resource and capacity in SG core and Education Scotland away from stated government priorities for improvement and reform of Education.</p> <p><u>OPTION 2 [Redaction – Section 30(b)(i)]</u> Notwithstanding the above, should Ministers decide not to lodge a motion for a Financial Resolution, they will be allowing the Bill to fall against the stated will of Parliament at Stage 1. [Redaction – Section 30(b)(i)]</p> <p>[Redaction – Section 29(1)(a)] [Redaction – Section 29(1)(b)] [Redaction – Section 29(1)(a)] [Redaction – Section 29(1)(b)]</p>

	<p>[Redaction – Section 30(b)(i)]</p> <p>There are currently a handful of other Member’s Bill progressing through Parliament at the same time as Liz Smith’s MSP (some of which have the potential to commit Government to significantly higher financial costs, should they become law than Liz Smith’s MSP Bill). However, the residential Bill is the further ahead in scrutiny process. [Redaction – Section 29(1)(b)]</p> <p>Budget implications of an alternative policy-based approach [Redaction – Section 29(1)(a)]</p> <p><u>Next Steps</u> [Redaction – Section 30(b)(i)]</p> <p>The Minister for Parliamentary Business will likely wish to discuss options in this regard, which could include, e.g.</p> <ul style="list-style-type: none"> • Ministerial letter to the Education Committee Convenor • Ministerial letter to the Education Committee Convenor, accompanied by a statement in the Chamber • GIQ and Ministerial letter to the Education Committee Convenor <p>[Redaction – Section 30(b)(ii)] [Redaction – Section 30(b)(i)]</p>
<p>Suggested questions or speaking points</p>	<p>Suggested speaking points:</p> <ul style="list-style-type: none"> • There are a number of important considerations to be weighed up in deciding next steps on this Bill. • I am very mindful of the wider fiscal environment in which we are operating currently [Redaction – Section 29(1)(b)] • [Redaction – Section 30(b)(i)] • [Redaction – Section 30(b)(ii)] • [Redaction – Section 29(1)(b)] • [Redaction – Section 30(b)(i)] <p>***</p> <p>You may wish to invite discussion on the following:</p> <ul style="list-style-type: none"> • Views on the policy, financial and/or political implications around Financial Resolution handling? • Views on the proposal for an alternative policy-based approach? • Implications of Option 2 for handling other Member’s Bills? • Views on most appropriate approach to informing Parliament?
<p>Contact</p>	<p>[Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)</p>

**CONDITIONS OUTLINED TO LIZ SMITH MSP TO INFORM A DECISION ON THE
FINANCIAL RESOLUTION**

Below is an overview of the original set of key conditions – or expectations, asks – that you outlined to Liz Smith MSP in correspondence on 3 May following an in-person discussion, which you indicated that you would expect her, as the Member in Charge, to lead work around ahead of recess to help inform Ministerial considerations around whether or not to lodge a motion for a Financial Resolution by September. These have formed the basis of your on-going discussions with the Member up to August 2025.

On affordability:

1) Clarification on total costs associated with the Bill as introduced – in particular, as related to provision for pupils with additional and complex needs, potential increased staffing costs (recognising the move from current reliance on teachers volunteering to support residential trips, to this becoming a requirement on teachers), and other associated costs such as transport, should the Bill become law. As discussed, this will necessitate you having further discussions with both COSLA and the teaching unions.

2) A set of potential amendments for consideration at Stage 2 focused on reducing the overall cost of the Bill as introduced, including on targeted rather than universal provision which you said in our meeting that you would be open to.

On equity of provision:

3) Clarification of your expectations for equity of provision for individuals with additional support needs and how these will be met, informed by engagement with the outdoor education sector and other relevant partners (including, for example, Education Scotland and ADES), most notably relating to:

- The capacity of the outdoor education sector to provide for pupils with severe disabilities (both in terms of infrastructure and equipment, and workforce, to ensure pupils receive the right support); and
- The importance of flexibility in delivery to meet the needs of pupils with additional and complex needs for whom residential experiences may not be suitable.

On workforce implications:

4) Confirmation of engagement with COSLA and trade unions around potential workforce equality, staffing and contractual implications should the Bill become law, and agreement with these partners on how best to address these concerns.

REVISED LIZ SMITH MSP FINANCIAL MODELLING

In her letter to you dated 31 July, Liz Smith MSP provides revised estimates based on a targeted approach that concludes: “the targeted provision model for all primary children [across P6 or P7] in receipt of the SCP and/or with an ASN would cost in the region of **£15,289,000 to £16,832,000** [per annum].” [adjusted for inflation]

SG Education Analytical Services have reviewed the latest revised financial modelling provided by Liz Smith MSP on 31 July, and have produced the following analysis:

1. Summary of main revisions

Provision applying only to primary schools: While the Bill does not specify an age range for provision, Liz Smith MSP indicated upon introduction that her preference is for support to be provided to pupils from P6-S4. In her latest revised cost modelling, Liz Smith MSP now proposes that a more targeted Bill could focus on P6-7 pupils only. However, given the original FM proposed sending approximately one year group of pupils per annum, the impact of this in terms of cost is significant but not transformative. In practice, the letter proposes 57,000 pupils would attend ROE each year, as opposed to levels of between 55,000 and 65,000 in the original FM. The more important effect of this on cost is to reduce the average cost of a visit to an inflation-adjusted £400 per visit as opposed to the FM, which included higher costs per visit for secondary school pupils.

Addition of uptake rate assumptions: Costs are further scaled downwards by the assumption that only 80 to 85% of pupils will take up the offer of a residential visit. There is no formal national data collection on which to base this assumption, [Redaction – Section 30(b)(ii)] There is a realistic possibility, however, that uptake rate would increase should the financial cost to families of residential visits reduce.

Complex Additional Support Needs: It is assumed that additional funding will be required for pupils with complex ASN and that all pupils attending special schools will have complex needs. [Redaction – Section 30(b)(ii)]. It is important to note that not all pupils with complex ASN attend special schools, however the relevant data collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits and therefore it is understandable that the analysis takes this approach. The letter assumes that 212- 225 pupils with complex ASN will take part in visits, based on the number of P7-aged special school pupils, adjusted for uptake rate. [Redaction – Section 30(b)(i)]

Targeting of provision to Scottish Child Payment and ASN pupils: The second policy option proposed in the letter targets funding at pupils who either have ASN or live in families in receipt of Scottish Child Payment. The policy costs estimated for universal provision have been scaled downwards accordingly towards the reduced target population. The approach towards this scaling as described appears reasonable and results in a reduction in the cost of the policy from up to £24.2 million under universal provision, to £16.8 million when targeted.

Inflation adjustments: The main cost items have been adjusted in line with inflation to the financial year 2027-28. Although the specifics of this are not provided the approach

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required is widely understood and uncontroversial and therefore unlikely to be a cause for concern.

2. Further remaining concerns

Transport costs: The letter does not revise the approach taken on transport costs and states it uses the SG figures provided in the letter from Ms Don-Innes to Ms Smith on 22 May 2025. However, in that letter it was made clear that this estimate was caveated as being based on the FM costings, which were considered to be a potential underestimate, as previously set out in correspondence to Committee. **[Redaction – Section 30(b)(ii)]**

Staffing: The exact approach taken to revising additional teaching staff costs in the bill is not made clear, however the text and the fact that the FM assumed there was no additional staff cost for primary school visits implies this is treated as zero cost. While some schools may be able to accommodate visits without additional disruption to timetables and staff resourcing, this may not be the case in every setting. By moving to a statutory requirement for residential visits, some stakeholders felt that staff may feel entitled to claim overtime or time off in lieu, which could have a significant effect on the cost of delivery.

Contact: **[Redaction – Section 38(1)(b)] (SG Education Analytical Services)**
[Redaction – Section 38(1)(b)]@gov.scot

Scottish Government Budget Position

The 2025-26 Education & Skills portfolio budget is fully allocated, and there is little flexibility to move funding to new areas of priority without deprioritizing existing activities.
[Redaction – Section 29(1)(a)]

[Redaction – Section 30(b)(i)]

ANNEX C

ALTERNATIVE POLICY-BASED “ROUTE MAP” PROPOSAL

[Redaction – Section 29(1)(a)]

Attachment 3: Schools (Residential Outdoor Education) (Scotland) Bill: Briefing for Ministerial Meeting w/Liz Smith MSP, 12 August 2025

What	Meeting with Liz Smith MSP to discuss the Schools (Residential Outdoor Education) (Scotland) Bill
When	Tuesday 12 August, 10:00-10:30
Where	Microsoft Teams
Who	Liz Smith MSP (Scottish Conservative & Unionist Party, MSP for Mid Scotland and Fife)
Why	Liz Smith MSP has indicated that in this latest meeting she would welcome confirmation of:

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	<ul style="list-style-type: none"> • The Government’s position on her revised cost proposals and what level of costs the Scottish Government would considers affordable; • Draft proposed Government amendments for Stage 2. <p>This is an opportunity for you to summarise and reiterate the Government’s remaining areas of concern around affordability and deliverability of the Bill, and confirm any final updates from the Member in Charge. This discussion can inform the cross-portfolio Ministerial meeting on the afternoon of 12 August to agree Financial Resolution handling and next steps.</p> <p>[Redaction – Section 30(b)(i)]</p>
Official support	<p>Clare Hicks (Director, Education Reform) [Redaction – Section 38(1)(b)], (Team Leader, Curriculum Development)</p>
Agenda / Potential Area(s) of Interest	<p>There is no fixed agenda for this meeting, but briefing below focuses on the key matter at hand - progress to date and revised costings. [Redaction – Section 30(b)(i)]</p>
Main objective(s)	<ul style="list-style-type: none"> • To demonstrate Government’s acknowledgement of the genuine work undertaken by Liz Smith MSP in attempting to address concerns around affordability and deliverability of her Bill; • To reiterate Government’s outstanding areas of concern with the approach proposed, notably concerning affordability, equity of provision and workforce implications.
Briefing contents	<p>Item 1: Liz Smith’s MSP progress to date and revised costings Annex A: Summary of progress made by Liz Smith MSP vs Government Asks Annex B: Revised Liz Smith MSP financial modelling Annex C: Summary of COSLA’s key concerns with the Bill</p>

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<p>ITEM 1</p>	<p>Liz Smith’s MSP progress to date and revised costings This is an opportunity to press Liz Smith MSP on the Scottish Government’s outstanding concerns with the Bill covering: affordability and clarity on total potential costs; equity of provision; and workforce implications.</p>
<p>Issue/ background</p>	<p>Annex A provides a more detailed overview of the overall progress made by Liz Smith MSP since the last meeting. Handling advice/lines on each aspect is provided below:</p> <p>1. Engagement with the outdoor education sector</p> <p><u>Progress by Liz Smith:</u> Ms Smith has undertaken visits to several outdoor education centres across Scotland, and has met with staff and carers who support young people to attend. She notes the positive partnership working between some centres and local authorities (e.g. Ardroy Outdoor Centre and Fife Council); discusses infrastructure developments and outstanding needs across the sector; the potential interest in public-private partnerships; and feedback she has received around staffing implications, noting that centres did not report any.</p> <p>Notably though, Liz Smith MSP acknowledges a new trend across some centres of between 15-20% of pupils signed up to attend a residential not turning up, and notes one reason for this appears to be anxiety of either/both the young person or their parents. Officials have been made aware by partners of this emerging trend as well.</p> <p><u>Key points to make to Liz Smith:</u> [Redaction – Section 30(b)(i)]</p> <p>2. Revised cost modelling reflecting a targeted approach</p> <p><u>Background:</u> SG estimates of the potential financial costs of the Bill, as introduced, suggest an annual cost of the Bill ranging from £24.8 million to £41.5 million (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in cost variables.</p> <p><u>Progress by Liz Smith:</u> As of 31 July, Liz Smith MSP has provided her own revised estimates based on a targeted approach that concludes: “the targeted provision model for all primary children [across P6 or P7] in receipt of the SCP and/or with an ASN would cost in the region of £15,289,000 to £16,832,000 [per annum].” [adjusted for inflation]</p> <p><u>Our advice:</u> Annex B provides an analysis of the latest financial modelling [Redaction – Section 30(b)(i)]</p> <p>COSLA position - As per your meeting with COSLA political leaders Cllr Buchanan and Cllr Hagmann on 6 August, local government partners do not share the outdoor education sector’s sentiment around</p>

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	<p>this Bill (see Annex C for further detail). [Redaction – Section 30(b)(ii)]</p> <p><u>Key points to make to Liz Smith:</u></p> <ul style="list-style-type: none"> • There remains a lack of clarity around the full potential costs of the Bill. In part, this is due to limited data available to inform estimates; and, as you are aware, is also conditional on, for example, any potential future deliberations that the Scottish Negotiating Council for Teachers (SNCT) would undertake around changes to teacher contracts, the outcome of which is not guaranteed and could lead to additional remuneration requirements. Enabling the Bill to progress in such a scenario would risk Government being exposed to an unknown future recurring budget pressure that could exceed existing estimates. • The Bill is unaffordable as introduced [Redaction – Section 30(b)(i)] <p>[Redaction – Section 29(1)(a)]</p>
<p>Key message(s)</p>	<ul style="list-style-type: none"> • Government recognises the work undertaken by Liz Smith MSP to date to attempt to address outstanding concerns, but there are significant issues that have not been addressed. • Ministers will consider the outputs of the Member’s work as part of deciding whether to lodge a motion for a Financial Resolution, and will confirm this decision by 26 September.

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Suggested questions or speaking points	<p>AFFORDABILITY</p> <ul style="list-style-type: none"> ○ The Bill remains unaffordable and there is still a lack of clarity on total potential costs, whether under a targeted approach or as introduced, due to a lack of data. ○ New spend of up to £17 million per annum for a targeted approach is still significant and would detrimentally impact on existing Government priorities.
	<p>Question: Which frontline education spend do you propose is cut to accommodate funding for this Bill?</p>
	<p>EQUITY OF PROVISION</p> <ul style="list-style-type: none"> ○ I still need you to set out how provision for pupils with complex needs and/or severe disabilities will work in practice ○ In particular, regarding sector capacity at a national level; and flexibility in the offer to meet all pupils' needs
	<p>Question: What are your reflections on the emerging trend in pupils dropping out from attending residentials, and implications for your proposals?</p>
	<p>WORKFORCE</p> <p>Question: How would staffing work on a voluntary basis or the changes to terms and conditions that would be required to ensure that schools could staff residential stays?</p>
	<p>LOCAL GOVERNMENT VIEWS</p> <ul style="list-style-type: none"> ● COSLA continue to outline significant concerns. ● This legislation poses a risk to local empowerment – it risks raising challenges around the Verity House Agreement, and would undermine the approach of CfE for schools to design the curriculum in ways that flexibility of CfE by legislating in the curriculum. <p>FINANCIAL RESOLUTION HANDLING/NEXT STEPS:</p> <ul style="list-style-type: none"> ● I cannot confirm if the government will bring forward a motion for a Financial Resolution on the Bill. As I have made clear by correspondence and at Committee, I will do so by September. ● The outputs of today's discussion and the other updates that you have provided during recess will inform my upcoming discussions with Ministerial colleagues on this matter. <p>POTENTIAL STAGE 2 AMENDMENTS [IF PRESSED]:</p> <ul style="list-style-type: none"> ● As per my letter of 10 June, and as we agreed at Committee on 11 June, the intention at this stage was always to consider "proposals" for amendments. ● It is not the appropriate time to begin procedures for drafting legal text around any potential amendments as this pre-empts a decision by Government on the Financial Resolution.
Contact	<p>[Redaction – Section 38(1)(b)] – Team Leader, Curriculum Development</p>

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ANNEX A

SUMMARY OF PROGRESS MADE BY LIZ SMITH MSP VS GOVERNMENT ASKS

Based on engagement and correspondence prior to 12 August:

4. On affordability*,

- **Liz Smith MSP has** provided revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment. As part of these estimates, **Liz Smith MSP has** produced revised cost figures associated with staffing and transport, and as adjusted for inflation.

[Redaction – Section 29(1)(a)]

5. On equity of provision,

- **Liz Smith MSP has** referred in her letter dated 5 June to the National Sports Training Centre (NSTC) in Inverclyde – which can accommodate up to 120 pupils, with 6 beds adapted with hoists for those requiring additional support – as an example of growth in sector capacity to accommodate pupils with ASN. In her letter dated 31 July, **Liz Smith MSP has** referred to the potential of public-private finance to support new infrastructure development.

[Redaction – Section 29(1)(a)]

6. On workforce implications,

- **Liz Smith MSP has** met with COSLA on 12 June to discuss, with their position outlined in their letter of 20 June.
- **Liz Smith MSP has not** engaged trade unions to explore the potential implications of her Bill as introduced, and has confirmed that she does not believe that it would be appropriate for her to do so.

REVISED LIZ SMITH MSP FINANCIAL MODELLING

SG Education Analytical Services have reviewed the latest revised financial modelling provided by Liz Smith MSP on 31 July, and have produced the following analysis:

3. Summary of main revisions

Provision applying only to primary schools: While the Bill does not specify an age range for provision, Liz Smith MSP indicated upon introduction that her preference is for support to be provided to pupils from P6-S4. In her latest revised cost modelling, Liz Smith MSP now proposes that a more targeted Bill could focus on P6-7 pupils only. However, given the original FM proposed sending approximately one year group of pupils per annum, the impact of this in terms of cost is significant but not transformative. In practice, the letter proposes 57,000 pupils would attend ROE each year, as opposed to levels of between 55,000 and 65,000 in the original FM. The more important effect of this on cost is to reduce the average cost of a visit to an inflation-adjusted £400 per visit as opposed to the FM, which included higher costs per visit for secondary school pupils.

Addition of uptake rate assumptions: Costs are further scaled downwards by the assumption that only 80 to 85% of pupils will take up the offer of a residential visit. There is no formal national data collection on which to base this assumption.

[Redaction – Section 30(b)(ii)] There is a realistic possibility, however, that uptake rate would increase should the financial cost to families of residential visits reduce.

Complex Additional Support Needs: It is assumed that additional funding will be required for pupils with complex ASN and that all pupils attending special schools will have complex needs. **[Redaction – Section 30(b)(i)]** It is important to note that not all pupils with complex ASN attend special schools, however the relevant data collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits and therefore it is understandable that the analysis takes this approach. The letter assumes that 212- 225 pupils with complex ASN will take part in visits, based on the number of P7-aged special school pupils, adjusted for uptake rate. **[Redaction – Section 30(b)(i)]**

Targeting of provision to Scottish Child Payment and ASN pupils: The second policy option proposed in the letter targets funding at pupils who either have ASN or live in families in receipt of Scottish Child Payment. The policy costs estimated for universal provision have been scaled downwards accordingly towards the reduced target population. The approach towards this scaling as described appears reasonable and results in a reduction in the cost of the policy from up to £24.2 million under universal provision, to £16.8 million when targeted.

Inflation adjustments: The main cost items have been adjusted in line with inflation to the financial year 2027-28. Although the specifics of this are not provided the approach required is widely understood and uncontroversial and therefore unlikely to be a cause for concern.

4. Further remaining concerns

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[Redaction – Section 29(1)(a)]

Contact: [Redaction – Section 38(1)(b)] (EAS) [Redaction – Section 38(1)(b)]
@gov.scot

**ANNEX C
SUMMARY OF COSLA'S KEY CONCERNS WITH THE BILL**

COSLA leaders wrote to Liz Smith MSP on 20 June following an in-person discussion with the Member in Charge on 12 June, summarising their outstanding concerns relating to her Bill, as introduced. The following excerpts outline these:

Financial Implications

- Underestimated costs – the figures in the Bill's financial memorandum appear to be an underestimation, with no consideration of factors such as inflation and demand. Additionally, ancillary costs such as food, clothing, insurance and administration have not been accounted for.
- Other costs – there are also cost implications relating to staffing, centres, transport and pupils with additional support needs (ASN), which have not been factored into the overall costs.
- Funding source – there is no clarity on where the necessary funding will come from. There is already insufficient funding to meet existing joint priorities.

Staffing and Workforce Implications

- Staffing costs and contracts – if the Bill places a statutory duty on schools, then it is likely that this will result in changes to contractual terms and conditions and increased salary costs. Delivering this on the current voluntary basis would not be sustainable.
- Negotiation requirements – any changes to contracts or pay would require negotiation through the Scottish Negotiating Committee for Teachers (SNCT), which can be a resource intensive process.
- Additional staffing – the likely need for additional staff to ensure trips are fully staffed and classrooms are covered has not been addressed.

Centre Capacity and Logistics

- Capacity constraints – increased demand for centres will have an impact on capacity and costs, which has not been appropriately considered. Adding to this, costs could quickly spiral if more than the anticipated number of pupils attend in any one year.
- Transport issues – the cost estimates do not account for the unique needs of island and rural communities, or for group size limitations due to staff or centre capacity.

Equity and Inclusion

- Pupils with ASN – Additional costs and logistical challenges of ensuring equitable access for pupils with ASN, including higher staffing ratios, adapted transport and increased health and safety requirements, have not been considered.

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- Tracking and monitoring – there is a lack of clarity on how local authorities and schools would track and ensure that every eligible pupil receives the offer, particularly in cases of school transfers or differing approaches within school clusters.

Attachment 4: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Cross-Portfolio Ministerial Meeting on Financial Handling - Briefing FINAL

What	Cross-portfolio Ministerial meeting to discuss and agree handling around Financial Resolution for the Schools (Residential Outdoor Education) (Scotland) Bill
When	13:30-14:30, Tuesday 12 August 2025
Where	Microsoft Teams
Who	Cabinet Secretary for Finance & Local Government Cabinet Secretary for Education & Skills Minister for Parliamentary Business
Why	[Redaction – Section 29(1)(b)] Following the passing of the Bill at Stage 1 in March 2025, Ministers have up to 6 months (Friday 26 September 2025) to confirm to Parliament the Government’s position on the Financial Resolution. . The purpose of this meeting is for you to discuss handling options with your Ministerial colleagues and to agree whether or not Government should lodge a motion for a Financial Resolution, and associated handling.
Official support	Clare Hicks (Director, Education Reform) [Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)
Agenda	3. Update on developments following Stage 1 4. Appraisal of options for Financial Resolution handling
Main objective	To seek cross-Ministerial agreement on whether or not to lodge a motion for a Financial Resolution by September, and associated handling (including with regards engaging [Redaction – Section 30(b)(i)] and Parliament).
Briefing contents	Item 1: Update on developments following Stage 1 Item 2: Financial Resolution handling Annex A: Conditions Outlined to Liz Smith MSP to Inform a Decision on the Financial Resolution Annex B: Revised Liz Smith MSP Financial Modelling Annex C: Alternative Policy-Based “Route Map” Proposal

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<p>ITEM 1</p>	<p>Update on developments following Stage 1 This is an opportunity for you to provide a short overview of the work you have led since conclusion of Stage to engage Liz Smith MSP, opposition Members, and COSLA, to consider the outstanding concerns around the Bill. You may wish to reflect that while some progress has been made by the Member in Charge, there remain outstanding concerns to be addressed.</p>
<p>Issue/ background</p>	<p><u>Summary of Progress to Date Made by Liz Smith MSP</u> Since the conclusion of Stage 1, you have met with Liz Smith MSP in April and July and exchanged several letters of correspondence setting out your clear expectations (“conditions”) to be met by the Member in Charge, to inform your discussions with Ministerial colleagues around Financial Resolution handling (see Annex A). You will have met Liz Smith MSP for a third time on the morning of 12 August (the same day as this meeting).</p> <p><u>Based on engagement and correspondence prior to 12 August:</u></p> <p>7. On affordability*,</p> <ul style="list-style-type: none"> • Liz Smith MSP has provided revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment. As part of these estimates, Liz Smith MSP has attempted to produce revised cost figures associated with staffing and transport, and as adjusted for inflation (Annex B). <p>[Redaction – Section 29(1)(a)]</p> <p>8. On equity of provision,</p> <ul style="list-style-type: none"> • Liz Smith MSP has referred in her letter dated 5 June to the National Sports Training Centre (NSTC) in Inverclyde – which can accommodate up to 120 pupils, with 6 beds adapted with hoists for those requiring additional support – as an example of growth in sector capacity to accommodate pupils with ASN. In her letter dated 31 July, Liz Smith MSP has referred to the potential of public-private finance to support new infrastructure development. <p>[Redaction – Section 29(1)(a)]</p> <p>9. On workforce implications,</p> <ul style="list-style-type: none"> • Liz Smith MSP has met with COSLA on 12 June to discuss, with their position outlined in their letter of 20 June. • Liz Smith MSP has not engaged trade unions to explore the potential implications of her Bill as introduced, and has confirmed that she does not believe that it would be appropriate for her to do so. <p><u>Position of Other Stakeholders</u> EYCP Committee (Stage 1 Report)</p>

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	<p>The lead Committee published its Stage 1 Report on 4 February. In summary, the Committee concluded that it supports the principles of the Bill but recognises there are a number of concerns relating to implementation including financial affordability and potential implications for teachers’ terms and conditions. The Committee indicated that the Bill “should only proceed providing these concerns can be addressed”.</p> <p>Opposition Members You have engaged both Mr Greer MSP (Scottish Greens) and Mr Rennie MSP (Scottish Liberal Democrats) to discuss their position on the Bill. [Redaction – Section 30(b)(ii)]</p> <p>COSLA In their letter of 20 June, Cllr Buchanan and Cllr Hagmann wrote to Liz Smith MSP on behalf of COSLA reiterating their concerns with the Bill. These included issues surrounding finances, workforce and staffing, centre capacity and logistics, and equity and inclusion (see Annex C). [Redaction – Section 30(b)(ii)]</p> <p>You then met with Cllr Buchanan and Cllr Hagmann on 6 August to discuss their position on the Bill, as introduced, [Redaction – Section 30(b)(ii)] COSLA request Ministers confirm Government’s intentions around the Bill by 15 August, to enable consideration of COSLA position in supporting any next steps at their next Leadership Board meeting on 29 August. Cllr Buchanan and Cllr Hagmann wrote to you on 11 August to this effect.</p> <p>ADES As you are aware, policy officials have engaged the Association of Directors of Education in Scotland (ADES) alongside COSLA counterparts on several occasions following Stage 1 to discuss the Bill. [Redaction – Section 30(b)(ii)]</p> <p>Teacher Trade Unions We know from the evidence submitted by trade unions to the Education Committee during Stage 1 that there are concerns around workforce implications, should the Bill become law. There remain outstanding questions around whether a change in teacher contracts would be required in this circumstance, which also raises the possibility of additional remuneration requirements. [Redaction – Section 30(b)(ii)] The Financial Memorandum assumes that teachers would continue to engage in provision of residentials on a voluntary basis.</p>
<p>Suggested questions or speaking points</p>	<p>Suggested key speaking points:</p> <ul style="list-style-type: none"> • The Education Committee concluded at Stage 1 that the Bill should only proceed if key concerns around deliverability of the

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	<p>provisions can be addressed. Nevertheless, Parliament has expressed its support for the aims of the Bill.</p> <ul style="list-style-type: none"> • To navigate these issues, I have engaged with Liz Smith MSP throughout the summer to discuss her Bill, as well as with opposition Members and COSLA. • [Redaction – Section 30(b)(ii)] • Nevertheless, there remain significant challenges around deliverability – in particular relating to workforce implications and equity of provision and sector capacity. To overcome these issues would require concerted effort by Government, if the Bill progressed. • I also do not believe that the Member in Charge has established full clarity on the total potential costs of the Bill that we can consider robust, due to the limited data available. • [Redaction – Section 30(b)(ii)] • The Bill – even in a more targeted form and within existing modelling – continues to represent a substantive budgetary pressure that is not affordable without risking other existing Education & Skills portfolio activities being deprioritised, should it become law. I have raised this with Liz Smith MSP. • I have also made clear to Liz Smith MSP our fundamental difficulty in legislating for one part of the Scottish education curriculum, and the risk that such could undermine the approach underpinning the CfE.
Contact	[Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)

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ITEM 2	Financial Resolution handling
Issue/ background	<p><u>Financial Resolution Mechanism & Process</u> Standing Orders Rule 9.12.7 provides that a motion for a Financial Resolution can only be lodged and moved by a member of the Scottish Government (i.e. a Cabinet Secretary) or a junior Scottish Minister. The Scottish Ministerial code requires that the motion be lodged in the name of the Cabinet Secretary with responsibility for finance.</p> <p>Therefore, given Liz Smith’s MSP Bill passed Stage 1, the Scottish Government must consider if it is content for the costs associated with the Bill to be authorised and for the Bill to proceed to Stage 2. If Ministers are content, then a Financial Resolution should be instructed and lodged by the Minister for Parliamentary Business by 26 September. If not, then no motion for a resolution is lodged and the Bill falls automatically.</p> <p>[Redaction – Section 29(1)(b)]. During the Stage 1 debate you made clear to Parliament that Ministers would only do so within the 6 month timeline <u>“if and when affordability of the provisions – and other practical implementation challenges – can be assured”</u>. There remain outstanding issues to be addressed by Liz Smith MSP in this respect (see Item 1).</p> <p>There is no obligation on the Scottish Government to lodge a motion for a financial resolution for a Member’s Bill, [Redaction – Section 29(1)(b)]</p> <p>Ministers will need to confirm a decision on Financial Resolution handling to Parliament by 26 September.</p> <p><u>Handling Options</u></p> <p>There are two options available to Ministers at this stage: 3. Lodge a motion for a Financial Resolution, Bill progresses 4. Do not lodge a motion for a Financial Resolution, Bill falls</p> <p>[Redaction – Section 30(b)(i)] Should the Bill progress, this would also divert resource and capacity in SG core and Education Scotland away from stated government priorities for improvement and reform of Education.</p> <p><u>OPTION 2</u> [Redaction – Section 30(b)(i)] Notwithstanding the above, should Ministers decide not to lodge a motion for a Financial Resolution, they will be allowing the Bill to fall against the stated will of Parliament at Stage 1. [Redaction – Section 30(b)(i)]</p> <p>Alternative Policy-Based Route Map Approach</p>

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	<p>Annex C [Redaction – Section 29(1)(a)]</p> <p>[Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)] [Redaction – Section 29(1)(b)]</p> <p>[Redaction – Section 29(1)(a)]</p> <p><u>Next Steps</u> [Redaction – Section 30(b)(i)] [Redaction – Section 29(1)(b)]</p> <p>The Minister for Parliamentary Business will likely wish to discuss options in this regard, which could include, e.g.</p> <ul style="list-style-type: none"> • Ministerial letter to the Education Committee Convenor • Ministerial letter to the Education Committee Convenor, accompanied by a statement in the Chamber • GIQ and Ministerial letter to the Education Committee Convenor <p>[Redaction – Section 30(b)(ii)]</p>
<p>Suggested questions or speaking points</p>	<p>Suggested speaking points:</p> <ul style="list-style-type: none"> • There are a number of important considerations to be weighed up in deciding next steps on this Bill. • I am very mindful of the wider fiscal environment in which we are operating currently • [Redaction – Section 29(1)(b)] • [Redaction – Section 30(b)(i)] • [Redaction – Section 30(b)(ii)] • [Redaction – Section 29(1)(b)] • [Redaction – Section 30(b)(i)] • [Redaction – Section 29(1)(a)] • [Redaction – Section 30(b)(i)] <p>***</p> <p>You may wish to invite discussion on the following:</p> <ul style="list-style-type: none"> • Views on the policy, financial and/or political implications around Financial Resolution handling? • Views on the proposal for an alternative policy-based approach? • Implications of Option 2 for handling other Member’s Bills? • Views on most appropriate approach to informing Parliament?
<p>Contact</p>	<p>[Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)</p>

CONDITIONS OUTLINED TO LIZ SMITH MSP TO INFORM A DECISION ON THE FINANCIAL RESOLUTION

Below is an overview of the original set of key conditions – or expectations, asks – that you outlined to Liz Smith MSP in correspondence on 3 May following an in-person discussion, which you indicated that you would expect her, as the Member in Charge, to lead work around ahead of recess to help inform Ministerial considerations around whether or not to lodge a motion for a Financial Resolution by September. These have formed the basis of your on-going discussions with the Member up to August 2025.

On affordability:

1) Clarification on total costs associated with the Bill as introduced – in particular, as related to provision for pupils with additional and complex needs, potential increased staffing costs (recognising the move from current reliance on teachers volunteering to support residential trips, to this becoming a requirement on teachers), and other associated costs such as transport, should the Bill become law. As discussed, this will necessitate you having further discussions with both COSLA and the teaching unions.

2) A set of potential amendments for consideration at Stage 2 focused on reducing the overall cost of the Bill as introduced, including on targeted rather than universal provision which you said in our meeting that you would be open to.

On equity of provision:

3) Clarification of your expectations for equity of provision for individuals with additional support needs and how these will be met, informed by engagement with the outdoor education sector and other relevant partners (including, for example, Education Scotland and ADES), most notably relating to:

- The capacity of the outdoor education sector to provide for pupils with severe disabilities (both in terms of infrastructure and equipment, and workforce, to ensure pupils receive the right support); and
- The importance of flexibility in delivery to meet the needs of pupils with additional and complex needs for whom residential experiences may not be suitable.

On workforce implications:

4) Confirmation of engagement with COSLA and trade unions around potential workforce equality, staffing and contractual implications should the Bill become law, and agreement with these partners on how best to address these concerns.

REVISED LIZ SMITH MSP FINANCIAL MODELLING

In her letter to you dated 31 July, Liz Smith MSP provides revised estimates based on a targeted approach that concludes: “the targeted provision model for all primary children [across P6 or P7] in receipt of the SCP and/or with an ASN would cost in the region of **£15,289,000 to £16,832,000** [per annum].” [adjusted for inflation]

SG Education Analytical Services have reviewed the latest revised financial modelling provided by Liz Smith MSP on 31 July, and have produced the following analysis:

5. Summary of main revisions

Provision applying only to primary schools: While the Bill does not specify an age range for provision, Liz Smith MSP indicated upon introduction that her preference is for support to be provided to pupils from P6-S4. In her latest revised cost modelling, Liz Smith MSP now proposes that a more targeted Bill could focus on P6-7 pupils only. However, given the original FM proposed sending approximately one year group of pupils per annum, the impact of this in terms of cost is significant but not transformative. In practice, the letter proposes 57,000 pupils would attend ROE each year, as opposed to levels of between 55,000 and 65,000 in the original FM. The more important effect of this on cost is to reduce the average cost of a visit to an inflation-adjusted £400 per visit as opposed to the FM, which included higher costs per visit for secondary school pupils.

Addition of uptake rate assumptions: Costs are further scaled downwards by the assumption that only 80 to 85% of pupils will take up the offer of a residential visit. There is no formal national data collection on which to base this assumption **[Redaction – Section 30(b)(ii)]** There is a realistic possibility, however, that uptake rate would increase should the financial cost to families of residential visits reduce.

Complex Additional Support Needs: It is assumed that additional funding will be required for pupils with complex ASN and that all pupils attending special schools will have complex needs. **[Redaction – Section 30(b)(i)]** It is important to note that not all pupils with complex ASN attend special schools, however the relevant data collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits and therefore it is understandable that the analysis takes this approach. The letter assumes that 212- 225 pupils with complex ASN will take part in visits, based on the number of P7-aged special school pupils, adjusted for uptake rate. **[Redaction – Section 30(b)(i)]**

Targeting of provision to Scottish Child Payment and ASN pupils: The second policy option proposed in the letter targets funding at pupils who either have ASN or live in families in receipt of Scottish Child Payment. The policy costs estimated for universal provision have been scaled downwards accordingly towards the reduced target population. The approach towards this scaling as described appears reasonable and results in a reduction in the cost of the policy from up to £24.2 million under universal provision, to £16.8 million when targeted.

Inflation adjustments: The main cost items have been adjusted in line with inflation to the financial year 2027-28. Although the specifics of this are not provided the approach required is widely understood and uncontroversial and therefore unlikely to be a cause for concern.

6. Further remaining concerns

[Redaction – Section 29(1)(a)]

Contact: [Redaction – Section 38(1)(b)] (SG Education Analytical Services) [Redaction – Section 38(1)(b)]@gov.scot

[Redaction – Section 29(1)(a)]

ANNEX C

ALTERNATIVE POLICY-BASED “ROUTE MAP” PROPOSAL

[Redaction – Section 29(1)(a)]

**Attachment 5: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Further Ministerial Update to FM -
Preferred Handling FR - DRAFT 13 August 2025**

From: Minister for Children, Young People & The Promise
XX August 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

1. I am writing further to my previous update on 15 July concerning the above Member’s Bill, which you noted on 22 July.
2. As advised, I have now had a further meeting with Liz Smith MSP on 12 August to discuss her progress in attempting to address Government’s outstanding concerns relating to affordability and deliverability of her Bill, which are also shared by delivery partners such as COSLA and ADES. As you are aware, in particular these concerns relate to: affordability and clarity of the total potential costs of provisions; equity of provision; and workforce implications. Our latest discussion also followed receipt of further correspondence from the Member in Charge on 31 July, in which she detailed outputs from engagements she has undertaken with the outdoor education sector as well as provision of revised cost modelling for a more targeted approach within her Bill.
3. Liz Smith MSP has demonstrated a genuine effort and a willingness to compromise in her approach in response to those issues identified around her Bill. As requested by Government, the Member has come forward with proposals that would reduce the recurring cost of the Bill. [Redaction – Section 29(1)(b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

ALTERNATIVE POLICY-BASED ROUTE-MAP PROPOSAL

[Redaction – Section 29(1)(a)]

**Attachment 6: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Further Ministerial Update to FM -
Preferred Handling FR doc**

From: Minister for Children, Young People & The Promise
19 August 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

4. I am writing further to my previous update on 15 July concerning the above Member's Bill, which you noted on 22 July.
5. As advised, I have now had a further meeting with Liz Smith MSP on 12 August to discuss her progress in attempting to address Government's outstanding concerns relating to affordability and deliverability of her Bill, which are also shared by delivery partners such as COSLA and ADES. As you are aware, in particular these concerns relate to: affordability and clarity of the total potential costs of provisions; equity of provision; and workforce implications. Our latest discussion also followed receipt of further correspondence from the Member in Charge on 31 July, in which she detailed outputs from engagements she has undertaken with the outdoor education sector as well as provision of revised cost modelling for a more targeted approach within her Bill.
6. [Redaction – Section 29(1)(b)]



**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

ALTERNATIVE POLICY-BASED ROUTE-MAP PROPOSAL

[Redaction – Section 29(1)(a)]

**Attachment 7: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Further Ministerial Update to FM -
Preferred Handling FR - REVISED FINAL MINISTER 21
August 2025**

From: Minister for Children, Young People & The Promise
XX August 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

7. I am writing to update you on our considerations of the above bill. I want to assure you that we have been working hard throughout the summer to give the bill the fullest possible consideration and to seek to address the issues that I previously updated you on in my note of 15 July.
8. I met again with Liz Smith MSP on 12 August to discuss her progress in attempting to address Government's outstanding concerns relating to affordability and deliverability of her Bill, particularly in relation to: affordability and clarity of the total potential costs of provisions; equity of provision; and workforce implications. Our latest discussion also followed receipt of further correspondence from the Member in Charge on 31 July, in which she detailed outputs from engagements she has undertaken with the outdoor education sector as well as provision of revised cost modelling for a more targeted approach within her Bill.
9. [Redaction – Section 29(1)(b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

ALTERNATIVE POLICY-BASED ROUTE-MAP PROPOSAL

[Redaction – Section 29(1)(a)]

**Attachment 8: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Further Ministerial Update to
FM - Preferred Handling FR**

From: Minister for Children, Young People & The Promise
21 August 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

1. I am writing to update you on our considerations of the above bill. I want to assure you that we have been working hard throughout the summer to give the bill the fullest possible consideration and to seek to address the issues that I previously updated you on in my note of 15 July.
2. I met again with Liz Smith MSP on 12 August to discuss her progress in attempting to address Government's outstanding concerns relating to affordability and deliverability of her Bill, particularly in relation to: affordability and clarity of the total potential costs of provisions; equity of provision; and workforce implications. Our latest discussion also followed receipt of further correspondence from the Member in Charge on 31 July, in which she detailed outputs from engagements she has undertaken with the outdoor education sector as well as provision of revised cost modelling for a more targeted approach within her Bill.

[Redaction – Section 29(1)(b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

[Redaction – Section 29(1)(a)]

[Redaction – Section 29(1)(a)]

Attachment 9: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Ministerial Meeting w-Teacher Trade Unions 25-8 - Briefing - submitted 22 August 2025

What	Meeting with Teacher Trade Unions to discuss the Schools (Residential Outdoor Education) (Scotland) Bill
When	13.45-14.45, Monday 25 August 2025
Where	Microsoft Teams
Who	<u>Confirmed attendees</u> Andy Harvey – National Officer, EIS Seamus Searson – General Secretary, SSTA Greg Dempster – General Secretary, AHDS Graham Hutton – General Secretary, SLS (retiring 31 August) David Barnett – General Secretary, SLS (replacing Graham Hutton) <u>Invited but acceptance pending</u> Matt Wrack – General Secretary, NASUWT Mike Corbett – Scotland National Officer, NASUWT
Why	[Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(ii)] [Redaction – Section 30(b)(i)]
Key messages	<ul style="list-style-type: none"> • Government recognises the positive intent of this Bill but remains concerned about affordability and deliverability of the provisions. • While the Bill passed Stage 1, the Education Committee has stated that it should only progress if outstanding concerns are addressed. • Teacher trade unions that submitted evidence at Stage 1 raised concerns and indicated that a legislative approach is not preferred. • I am keen to explore potential workforce implications of this Bill with you to help inform my understanding of both the deliverability and affordability of the provisions.
Official support	Clare Hicks (Director, Education Reform) [Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)
Agenda	The following has been shared with invitees as proposed topics: <ol style="list-style-type: none"> 1. Any views on how staffing to deliver on such a statutory entitlement would work on a voluntary basis; and 2. Potential implications of the legislative proposals for the teacher workforce, including relating to: <ul style="list-style-type: none"> ○ the role of the teacher and contractual terms and conditions ○ teacher training ○ teacher workloads
Main objective	To hear directly from teacher trade unions around potential workforce implications, [Redaction – Section 30(b)(i)]

**Briefing
Contents****Biographies****Item 1:** General views on the Bill and how delivery would work on a voluntary basis**Item 2:** Potential workforce implications**BIOGRAPHIES****Andy Harvey – National Officer, Educational Institute of Scotland**

Andy began teaching secondary English in Dumfries and Galloway in 1997, before moving to South Lanarkshire where he worked as an English Teacher, Principal Teacher Pupil Support and Faculty Head of English and Drama. Andy has been an EIS school rep for most of his career and served two terms as South Lanarkshire Local Association President. Prior to his appointment as National Officer, Andy was EIS Local Association Secretary for South Lanarkshire.

**Seamus Searson – General Secretary, Scottish Secondary Teachers' Association**

Seamus was appointed SSTA General Secretary in 2015. He was a teacher of Design & Technology for 25 years and Head of Faculty for 17 years, teaching in a number of secondary schools in Inner London. Seamus was an active member of the NASUWT and held the post of Local Secretary in Tower Hamlets and London President. He was elected National Executive member for Inner London in 1998 and held that position until 2003. Seamus joined the NASUWT staff as Regional Official in London in 2003. In 2005 he transferred to Northern Ireland NASUWT as its lead officer until 2013. In 2014 Seamus was appointed as a Regional Officer for the NUT in its North West England office.

**Greg Dempster – General Secretary, Association of Headteachers and Deputies in Scotland**

Greg Dempster has held the role of AHDS General Secretary for more than 20 years. He is also a member of the Board of the European School Heads Association. AHDS is a union for promoted teachers in Scotland's pre-primary, primary and additional support needs schools. With a membership of 2,800, its membership includes over 80 per cent of Scotland's primary headteachers. Before joining AHDS, Greg worked for the Scottish Government in a range of different policy fields.



Graham Hutton – General Secretary, School Leaders Scotland

Graham was headteacher of Grove Academy in Dundee for 11 years. He was previously PT Modern Languages and Depute at the school until he was moved to Braeview Academy, Dundee in 2006, and in 2008 he was appointed headteacher at Dumbarton Academy. During his extensive career, Graham taught in schools in both London and Ontario, and his membership of the BOCOSH (Building Our Curriculum Self-Help) Group helped him pursue the goal of curriculum change.

Graham is retiring from his post on 31 August and will be replaced by David Barnett.



David Barnett – General Secretary, School Leaders Scotland

David began his career as a French teacher at Fraserburgh Academy. He then moved on to be headteacher at three schools: Buckie High School; Elgin Academy and Cults Academy. David left Cults in 2023 and for two years was SLS National Officer. David has been an Associate Assessor with Education Scotland and represented SLS on the SQA Advisory Council and the Curriculum and Assessment Board.

David takes up the post of General Secretary on 1 September.



Matt Wrack – General Secretary, National Association of Schoolmasters Union of Women Teachers

Matthew is a trade unionist and former firefighter. He joined the Labour Party Young Socialists in Salford in 1978 and was a member of Farnworth Constituency Labour Party. Matthew subsequently moved to London, working for a time in the DHSS before joining the London Fire Brigade in 1983. Matthew became involved in the Fire Brigades Union and by 1984 he had become a branch secretary of the FBU. Between 1988 and 2005 he served as a member of the FBU London Regional Committee and was Regional Organiser in 2002. In 2004 Matthew was elected Regional Secretary and later Assistant General Secretary of the union. In 2005 he became General Secretary and was re-elected in 2010 and again in 2014 (unopposed).

Matthew was elected General Secretary of the NASUWT on 23 July 2025.



Mike Corbett – Scotland National Official, National Association of Schoolmasters Union of Women Teachers

Mike was a secondary teacher of English for 26 years and held a number of elected roles on the lay-side of the NASUWT, up to and including UK Junior Vice President. From October 2021 Mike has been the National Official for NASUWT, responsible for all work of the union in Scotland.

<p>ITEM 1</p>	<p>General views on the Bill and how delivery would work on a voluntary basis [Redaction – Section 30(b)(i)]</p>
<p>Issue/ background</p>	<p><u>Financial Memorandum & Teacher Voluntary Participation</u> The Financial Memorandum accompanying the Bill, as introduced, explicitly assumes zero staff costs in primary schools and does not model staff costs in secondary and Special schools due to ‘variation and uncertainty’ around staff costs. While some schools may be able to accommodate visits without additional disruption to timetables and staff resourcing, it is not clear that this will be the case across the country. Some stakeholders have fed back that in moving to a statutory requirement for residential visits, staff may feel entitled to claim overtime, which could have a significant effect on the cost of delivery.</p> <p>[Redaction – Section 30(b)(i)]</p> <p><u>Stakeholder Views on Voluntary Participation</u> TEACHER TRADE UNIONS: At Stage 1, evidence was submitted to the Education Committee by: EIS, AHDS and NASUWT. All three unions raised concerns with the legislative approach:</p> <ul style="list-style-type: none"> • NASUWT specifically indicated that their advice to “teacher members is that they should always be advised not to participate in visits and journeys that are non-contractual [...]”. • AHDS stated “prioritising expenditure on these [residential] trips before core spend would risk diminishing the necessary goodwill from staff to enable these trips happen.” <p>COSLA: In your meeting with Liz Smith MSP on 1 July, you raised the feedback shared by COSLA with her on 20 June expressing a number of concerns around the Bill. [Redaction – Section 30(b)(ii)]</p> <p>The Education Committee undertook focused engagement with teachers from across primary, secondary and Special schools on 9 December 2024, as organised by EIS on the Committee’s behalf. The evidence from that session shows that teachers recognise the benefits of residential, but also the recognition that any statutory requirement for teachers to participate would require consideration of teacher contracts via the SNCT.</p> <p>LOCAL AUTHORITIES: At Stage 1, a handful of individual local authorities submitted evidence to the lead Committee, with some notably excerpts including:</p> <ul style="list-style-type: none"> • Midlothian Council “Staffing residential opportunities is increasingly difficult, with fewer staff volunteering to work beyond the school day”. • Comhairle nan Eilean Siar “Trips cannot take place without the willingness or duty upon staff to lead and participate on trips.” <p>TEACHERS: At Stage 1, evidence was submitted to the lead Committee by some individual practitioners:</p> <ul style="list-style-type: none"> • Headteacher (Aberdeenshire) “I find it increasingly difficult to enlist the huge amount of goodwill and sacrifice needed from staff to accompany these visits.”

	<ul style="list-style-type: none"> • Teacher / School Leader “Trips can only happen if sufficient staff members volunteer their time. This is unfair and certainly could not be expected if the trips become mandatory [...]” <p>[Redaction – Section 30(b)(i)]</p>
<p>Key message(s)</p>	<ul style="list-style-type: none"> • The Bill assumes that any new statutory duty for provision and access to residentials could be met through continued voluntary participation of teachers. [Redaction – Section 30(b)(ii)] • I am keen to hear your collective views on this assumption, which represents a key consideration in determining deliverability of the provisions, as introduced.
<p>Suggested questions or speaking points</p>	<ul style="list-style-type: none"> • Key strengths, benefits, challenges of current practice around provision of residentials based on the goodwill of teachers? • Views on deliverability of any new statutory duty for provision based on on-going voluntary participation of staff? • Have you had any engagement with Liz Smith MSP on her Bill?
<p>Contact</p>	<p>[Redaction – Section 38(1)(b)](Team Leader, LfS & Outdoor Learning)</p>

<p>ITEM 2</p>	<p>Potential workforce implications [Redaction – Section 30(b)(i)]</p>
<p>Issue/ background</p>	<p>POTENTIAL IMPLICATIONS</p> <p>(1) <u>Potential Contractual Changes</u> [Redaction – Section 30(b)(i)].</p> <p>(2) <u>Teacher Training</u> [Redaction – Section 30(b)(i)]In the Stage 1 evidence to Committee, one Headteacher noted: “In a system where parental complaints can quickly dominate, is it any wonder staff do not or cannot offer the goodwill.” [Redaction – Section 30(b)(i)] [Redaction – Section 29(1)(a)]</p> <p>(3) <u>Workloads</u> In their Stage 1 evidence to Committee, EIS highlighted that the passing of this Bill would risk increasing workload pressures on teachers who already face challenges delivering a cluttered curriculum. A key aim of the Curriculum Improvement Cycle (CIC) – underway, led by Education Scotland – is to declutter the curriculum. [Redaction – Section 30(b)(i)] Another concern raised at Stage 1 was what impact staffing residential could have on the remaining teachers at the school: “The staffing ratios for residential experiences differ to that of a classroom and as such residential trips often have an impact on staffing within school for the year groups not attending the trip” (East Renfrewshire Council). This consideration is also relevant where a pupil in a class going on the residential opts not to attend, as they will need to be appropriately cared for by other staff in the school. There are also potential workload pressures for those teachers that attend residential due to the wider associated responsibilities for caring for pupils overnight. At Stage 1, one Teacher / School Leader commented: “It is a 24-hours a day commitment, often supporting and caring for children with additional support needs or medical needs, on top of everything else.”</p> <p><u>Staff shortages</u> has also been raised as a risk by a number of respondents to the Stage 1 call for evidence, across trade unions, delivery partners, local authorities and practitioners.</p> <ul style="list-style-type: none"> • AHDS “In a time of significant financial constraint, when schools are losing staff and school leadership time, there are priorities which are far higher up the list than this proposal.” • ADES “Single teacher schools could be left without any management in place. If a teaching head in a single teacher school has family/caring responsibilities then who would facilitate the trip?” • Aberdeenshire Council “Some local authorities are experiencing chronic staffing shortages which would logistically make undertaking trips very challenging.” • Midlothian Council “Most local authorities have no or very limited outdoor education staffing to help plug the gap [where not enough teachers agree to work outside core hours]”. <p>[Redaction – Section 30(b)(i)]</p>

Key message(s)	<ul style="list-style-type: none"> • Government recognises a number of concerns that have been raised through Stage 1 evidence by unions, delivery partners, local authorities, and practitioners, around potential implications for teachers, should this Bill pass. • These relate to, for example: teacher contracts, training needs and workloads as well as wider staffing levels in schools. • Should this Bill pass, then responding effectively to these risks to ensure staff are supported could lead to additional direct or indirect costs for delivery not represented in the Financial Memorandum.
Suggested question(s)	<ul style="list-style-type: none"> • How does the approach presented in the Bill align with the role of the teacher and contractual obligations? • Views on current confidence levels of teachers to be able to deliver impactful and safe residentials? • How might a statutory approach to residentials impact workloads? • Should the Bill pass, what additional support might teachers need to be able to effectively respond to the new statutory requirements?
Contact	[Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)

Attachment 10: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - Preferred Handling FR - Revised final

From: Minister for Children, Young People & The Promise
21 August 2025

First Minister

SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: FURTHER UPDATE ON HANDLING

1. I am writing to update you on our considerations of the above bill. I want to assure you that we have been working hard throughout the summer to give the bill the fullest possible consideration and to seek to address the issues that I previously updated you on in my note of 15 July.
2. I met again with Liz Smith MSP on 12 August to discuss her progress in attempting to address Government’s outstanding concerns relating to affordability and deliverability of her Bill, particularly in relation to: affordability and clarity of the total potential costs of provisions; equity of provision; and workforce implications. Our latest discussion also followed receipt of further correspondence from the Member in Charge on 31 July, in which she detailed outputs from engagements she has undertaken with the outdoor education sector as well as provision of revised cost modelling for a more targeted approach within her Bill.

[Redaction – Section 29 (1) (b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

ANNEX A

[Redaction – Section 29(1)(a)]

[Redaction – Section 29(1)(a)]

**Attachment 11: NDI Meeting Brief - 2 September 2025 -
Pam Duncan-Glancy MSP**

What	Meeting with Pan Duncan-Glancy MSP to discuss: 1. [Redaction – Out of scope] 2. Schools (Residential Outdoor Education) (Scotland) Bill
When	2 September 2025, 15:30 – 16:00
Where	Scottish Parliament, Room TG.22
Who	<ul style="list-style-type: none"> Pam Duncan-Glancy. Scottish Labour, MSP for Glasgow (Region)
Why	<ol style="list-style-type: none"> [Redaction – Out of scope] Schools (Residential Outdoor Education) (Scotland) Bill <ul style="list-style-type: none"> On 12 August you held a cross-portfolio Ministerial meeting to discuss and agree a preferred handling approach on the Financial Resolution, to inform advice to [Redaction – Section 30(b)(i)]. [Redaction – Section 29(1)(b)] At this meeting you agreed to meet again with opposition Members to gauge parliamentary support for an alternative policy-based approach [Redaction – Section 29(1)(a)] [Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)]
Key messages	[Redaction – Out of scope]
Official support	[Redaction – Section 38(1)(b)], Team Leader – School Age Childcare [Redaction – Section 38(1)(b)], Team Leader - Learning for Sustainability (LFS) & Outdoor Learning
Agenda	[Redaction – Out of scope] ITEM 2 – The Schools (Residential Outdoor Education) Bill <ul style="list-style-type: none"> Reflections on outstanding concerns and alternative approach
Main objective	[Redaction – Out of scope] The Schools (Residential Outdoor Education) (Scotland) Bill <ul style="list-style-type: none"> To set out outstanding concerns around the Bill, identified by Government and Committee; provide an update on discussions with Liz Smith MSP; and discuss Ms Duncan-Glancy’s views on affordability and deliverability.

	<ul style="list-style-type: none"> To explore whether Ms Duncan-Glancy is open to considering an alternative policy-based approach, should the Bill not progress.
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ITEM 1.a	[Redaction – Out of scope]
Issue/ background	[Redaction – Out of scope]
Key message(s)	<ul style="list-style-type: none"> [Redaction – Out of scope]
Suggested questions or speaking points	<ul style="list-style-type: none"> [Redaction – Out of scope]
Contact point	[Redaction – Section 38(1)(b)], Team Leader, School Age Childcare – [Redaction – Section 38(1)(b)]@gov.scot

ITEM 1.b	[Redaction – Out of scope]
Issue/ background	<ul style="list-style-type: none"> [Redaction – Out of scope]
Key message(s)	<ul style="list-style-type: none"> [Redaction – Out of scope]
Suggested answers	Please see Annex C for suggested lines to take
Contact point	Redaction – Section 38(1)(b)], Team Leader, School Age Childcare – [Redaction – Section 38(1)(b)]@gov.scot

ITEM 1.c	[Redaction – Out of scope]
Issue/ background	<ul style="list-style-type: none"> [Redaction – Out of scope]
Key message(s)	<ul style="list-style-type: none"> [Redaction – Out of scope]
Suggested question(s)	Please see Annex C for suggested lines as a means of setting out the work underway to address some of the issues raised.
Contact point	Redaction – Section 38(1)(b)], Team Leader, School Age Childcare – [Redaction – Section 38(1)(b)]@gov.scot

<p>ITEM 2.a)</p>	<p>Reflections on outstanding concerns and alternative approach [Redaction – Section 30(b)(i)]</p>
<p>Issue/ background</p>	<p><u>Stage 1 Debate: Pam Duncan-Glancy Speech</u> The Member voted in support of the Bill at Stage 1 on 27 March, but raised points around the following:</p> <ul style="list-style-type: none"> • Need for equity of access for both pupils with ASN and in deprived circumstances • The need to work with trade unions to protect staff workloads • The need for financial resources for equitable ASN provision <p><u>Government’s Outstanding Concerns</u> You last met with Liz Smith MSP on 12 August to discuss progress she has made in seeking to address outstanding concerns.</p> <ul style="list-style-type: none"> • Affordability: the Bill is unaffordable and clarity on total potential costs remains outstanding. Liz Smith’s MSP revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment, suggest a potential cost of between £15.3 million to £16.8 million. [Redaction – Section 30(b)(i)] <ul style="list-style-type: none"> ○ Equity of provision: [Redaction – Section 30(b)(i)]In her letter dated 31 July, Liz Smith MSP recognises a new trend across some outdoor education centres of between 15-20% of pupils who are signed up to attend a residential not turning up. She indicates that one reason for this appears to be anxiety of either/both the young person or their parents. ○ This evidence emphasises the importance in understanding how any new statutory entitlement for residential outdoor education would be adapted for those pupils that may opt not to participate, to ensure that they can still receive and benefit from an equivalent learning experience. • Workforce implications: a number of complexities exist around the proposed approach presented in the Bill, relating to the role of the teacher and potential contractual changes (which would be for the Scottish Negotiating Council of Teachers to deliberate on) that could lead to additional remuneration requirements. Other potential implications relate to e.g. teacher workloads, staffing levels in schools, and equality and fair work considerations. <ul style="list-style-type: none"> ○ Liz Smith MSP has indicated she does not consider it appropriate for her to engage with teacher trade unions, despite Government’s ask that she do so to fully explore implications of the provisions. ○ You met with representatives of the professional associations on 25 August, in which a number of concerns were raised, including the suggestion that an assumption of on-going voluntary participation of teachers in the context of a new statutory duty was contradictory. <p>[Redaction – Section 30(b)(i)] COSLA</p>

	<p>In their letter of 20 June, Cllr Buchanan and Cllr Hagmann wrote to Liz Smith MSP on behalf of COSLA reiterating their concerns with the Bill. [Redaction – Section 30(b)(ii)] You met with Cllr Buchanan and Cllr Hagmann on 6 August [Redaction – Section 30(b)(ii)]</p> <p><u>Alternative Policy-Based Approach</u> [Redaction – Section 29(1)(b)] [Redaction – Section 29(1)(a)]</p> <p>Opposition Members [Redaction – Section 30(b)(ii)]</p>
<p>Key message(s)</p>	<ul style="list-style-type: none"> • Both government and the Education Committee have identified significant concerns with the Bill that must be addressed for it to progress, covering affordability, equity of provision and workforce implications. [Redaction – Section 30(b)(ii)] • Legislation is not required to improve provision and access to quality outdoor learning, including residential – a more targeted policy-based approach could help address issues of equity in access while demonstrating greater affordability for the public purse. • [Redaction – Section 29(1)(a)] • Government will confirm its position on the Financial Resolution by 26 September at the latest.
<p>Suggested question(s)</p>	<p>You may wish to ask:</p> <ul style="list-style-type: none"> • What are your views on the concerns around affordability and deliverability of the Bill? • What are your views on a more targeted approach to improve equity in provision and access? • Would you be open to this approach in a non-legislative context if concerns around the Bill cannot be fully addressed? • Have you received any representations from Liz Smith MSP on Bill?
<p>Contact point</p>	<p>[Redaction – Section 38(1)(b)](Team Leader, LfS & Outdoor Learning) [Redaction – Section 38(1)(b)]@gov.scot</p>

[Redaction – Out of scope]

Attachment 12: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - Preferred Handling FR – Revised

From: Minister for Children, Young People & The Promise
21 August 2025

First Minister

SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: FURTHER UPDATE ON HANDLING

1. I am writing to update you on our considerations of the above bill. I want to assure you that we have been working hard throughout the summer to give the bill the fullest possible consideration and to seek to address the issues that I previously updated you on in my note of 15 July.
2. I met again with Liz Smith MSP on 12 August to discuss her progress in attempting to address Government's outstanding concerns relating to affordability and deliverability of her Bill, particularly in relation to: affordability and clarity of the total potential costs of provisions; equity of provision; and workforce implications. Our latest discussion also followed receipt of further correspondence from the Member in Charge on 31 July, in which she detailed outputs from engagements she has undertaken with the outdoor education sector as well as provision of revised cost modelling for a more targeted approach within her Bill.

[Redaction – Section 29 (1) (b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

ALTERNATIVE POLICY-BASED ROUTE-MAP PROPOSAL

[Redaction – Section 29(1)(a)]

**Attachment 13: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - ROE Bill - Draft Ministerial
Response to Liz Smith MSP**

Minister for Children, Young People and The
Promise
Ministear airson Clann, Daoine Òga is An Gealladh
Natalie Don-Innes MSP
Natalie Don-Innes BPA



T: 0300 244 4000
E: scottish.ministers@gov.scot
Liz Smith CBE MSP
Scottish Parliament

By email:
elizabeth.smith.msp@parliament.scot

Your ref: Schools (Residential Outdoor Education) (Scotland) Bill
XX September 2025

Dear Liz Smith CBE MSP,

Thank you for your letters of 31 July and 12 August, the latter of which immediately followed our most recent discussion regarding your Member's Bill on residential outdoor education.

I would also like to reiterate my thanks for the significant time and effort that you and your team have invested over the summer to seek to address the issues relating to the overall cost of your proposals. The additional information that you have shared around your engagements with the sector, and the steps that you have taken to come forward with proposed changes to the Bill are helpful. In particular, I note the revised cost estimates for a more targeted (rather than universal) funding approach that you have provided.

However, despite these developments, there remain several key issues relating to affordability and deliverability of the Bill, which I have outlined below. In your letter of 12 August, you also raised a number of individual points, which I have specifically addressed at **Annex A**.

Outstanding Areas of Concern

1. Affordability

The Bill remains **unaffordable** and, even in a targeted form, would require significant adjustments to be made within the future Education & Skills portfolio budget that would impact on deliverability of Government priorities and existing statutory commitments.

There remains a **lack of clarity around the full potential costs** of the Bill. As we noted in our meetings, I appreciate that this is due, in part, to limited data available to inform estimates, such as those relating to transport costs and support for pupils with Additional Support Needs (ASN). We have also discussed that overall costs for the Bill's provisions are conditional on, for example, any potential future deliberations that the Scottish Negotiating Council for Teachers (SNCT) would undertake around changes to teacher contracts, the outcome of which is not guaranteed and could lead to additional remuneration requirements.

This means that the total potential costs of the Bill, should it become law, remain unknown and are likely to exceed existing estimates.

2. Equity of provision

It remains **unclear how you envision provision for pupils with complex and/multiple support needs will work in practice**; and in particular, how provision might be delivered in the context of overall **sector capacity** at a national level and **flexibility in the offer** to meet all pupils' needs, should the Bill become law.

Notably, in your 31 July correspondence you acknowledge a new trend across some outdoor education centres of between 15-20% of pupils who are signed up to attend a residential not turning up. You indicate that one reason for this appears to be anxiety of either/both the young person or their parents. This evidence emphasises the importance in understanding how any new statutory entitlement for residential outdoor education would be adapted for those pupils that may opt not to participate, to ensure that they can still receive and benefit from an equivalent learning experience.

3. Workforce implications

It remains **unclear how you envision staffing for the provision of residential stays would work on a voluntary basis** across the teaching profession; or what **changes to terms and conditions would be required** to ensure that schools could staff residential stays appropriately.

You have been clear that you do not consider it appropriate for you to directly engage teacher trade unions to explore these issues in more detail. While I recognise that any formal negotiations around changes to teacher contracts is the purview of the tripartite group, the Scottish Negotiating Council for Teachers (SNCT), it seems reasonable to expect you, as the Member in Charge, to undertake exploratory discussions with professional associations around the potential implications of your Bill to further inform these considerations. I understand from my own engagement with teacher trade unions on 25 August that this discussion with you, as the Member in Charge, would be

welcomed at this time and is something I would further encourage you to consider undertaking.

Potential Alternative Policy-Based Approach: Example for Illustration Only

At our meeting on 12 August I agreed to share information on an alternative policy-based targeted pilot approach, which Government has produced some initial cost modelling around. This is set out at **Annex B**.

Should Government decide not to lodge a motion for a Financial Resolution for your Bill – in the absence of sufficient assurance on outstanding concerns around affordability and deliverability – this preliminary work has been undertaken to explore how best the will of Parliament demonstrated at Stage 1 might still be met.

[Redaction – Section 29(1)(a)] The financial modelling relating to this alternative pilot approach is subject to a number of caveats. In a scenario where such an approach was to be developed for implementation, more substantive data gathering, analysis and robust modelling would be required. Further to these points, affordability of any potential policy-based approach would necessarily need to be determined through future years Scottish budget negotiations.

Next Steps

Following our most recent meeting, I have discussed the outputs of our engagements since Stage 1 with Ministerial colleagues. However, as I have made clear, handling around the Financial Resolution for this Bill is subject to on-going consideration. Government will confirm its position by 26 September 2025 at the latest.

For assurance, I intend to update you as soon as possible in advance of any public statement, once that decision has been made. I would be happy to meet to discuss the outcome and any next steps at the appropriate time. Your commitment to supporting residential outdoor education in Scotland is clear, and I continue to welcome the focus that your Bill has brought to how improvements in provision and access can be made.

«Signature»

NATALIE DON-INNES MSP
Minister for Children, Young People & The Promise

RESPONSE TO SPECIFIC POINTS RAISED AS OF 12 AUGUST

As per your letter dated 12 August, you raise the following points to which I have set out key considerations in response to each:

Point (1)

“The Scottish Government does not have a position on any of the policy proposals set out in my letter of 31 July 2025, including proposals to initially apply the bill to primary school pupils only and/or to target provision to children and young people experiencing poverty and those with additional support needs;”

- **Response:**

As discussed, while I cannot confirm a formal Government position in relation to handling around your Bill at this time, I recognise and welcome the compromises in your proposed approach that you are willing to make in response to outstanding concerns identified by both the lead Committee and Government.

However, the revised cost modelling for a targeted approach that you have presented is still subject to a number of analytical caveats (due to gaps in data available, and assumptions around delivery approach) that raises questions around robustness and completeness of the overall estimates produced.

A total potential recurring annual cost of between £15.3 million to £16.8 million for a more targeted approach would still require significant adjustments within the current Education portfolio budget, resulting in detriment to Government policy priorities and frontline delivery activities.

Point (2)

“The Scottish Government has not carried out any work in order to establish a figure, or a range of figures, for the cost of implementation of the Bill that it would consider to be ‘affordable’ [...]”

- **Response:**

Determining the affordability of any new spending proposal, particularly where it relates to legislation that would result in a statutory duty on Scottish Ministers to fund on a recurring annual basis, is not straightforward. Government must consider these matters on a case-by-case basis, as appropriate to the relevant policy and budgetary context of the proposals.

In this instance, as I have highlighted, any additional funding requirements will inevitably impact on existing Government priorities and delivery activities. In the absence of any Value for Money assessment having been produced to accompany the Bill at Introduction, determining potential trade-offs across an already pressured Education portfolio budget is hard to quantify. This is compounded by the lack of clarity over the full potential costs of the provisions, as I have detailed elsewhere.

Point (3)

“The Scottish Government has not initiated any financial modelling on any of the policy proposals set out by me, or indeed undertaken any further financial modelling in relation

to any policy proposals it might have to implement the Bill in a way the Scottish Government considers to be affordable [...]"

- **Response:**

We discussed proposals for potential Stage 2 amendments at our meeting on 1 July, which included a potentially more targeted approach to funding provision. As discussed on 12 August, Government has also been exploring what a pilot approach to delivery of a more targeted approach might look like, including indicative cost modelling, which I have shared as an Annex to this letter as agreed. This work is relevant to the Bill, should it progress, indeed reflecting your own proposal for a potential transitional (or phased) approach to delivery over time and a change in commencement to enable sector readiness to be established.

Point 4

"The Scottish Government has not produced its own policy proposals, and therefore has not commissioned the drafting of any amendments to inform our negotiations despite your commitment before the Education, Children and Young People Committee to provide amendments by the start of July [...]"

- **Response:**

We discussed proposals for potential Stage 2 amendments at our meeting on 1 July, in keeping with my commitment made during my appearance at the Education, Children & Young People Committee on 11 June. However, as I set out in our most recent discussion on 12 August, procedurally we are not yet at the point where producing draft legal text of Stage 2 amendments would be appropriate. Doing so at this time may be speculative in the absence of reasonably settled policy and would pre-empt a decision by Government on whether or not to lodge a motion for a Financial Resolution.

Point 5

"Instead of prioritising work on a Bill agreed at Stage 1 by Parliament, the Scottish Government has been undertaking some modelling work with associated costings to inform a possible pursuit of a non-legislative solution involving a pilot (costs of £6 to 8 million were mentioned) [...]"

- **Response:**

I have been open in sharing the fact that I have undertaken discussions with other Members around a potential policy-based approach as an alternative to this Bill, something which I highlighted during my appearance at the Education, Children & Young People Committee on 11 June. I feel it important to explore all potential scenarios for delivering on the will of Parliament that was demonstrated at Stage 1 – to see improvements in the provision and access to residential outdoor education – should the outstanding concerns around this Bill not be fully addressed. As agreed, I have shared example modelling for delivery of a potential targeted pilot approach in an accompanying annex within this letter.

Point 6

"The Scottish Government could not confirm a date for Cabinet (or the Cabinet sub-committee on legislation) to consider whether to lodge a financial resolution for the Bill. I would ask for confirmation of this date as soon as possible [...]"

- **Response:**
This matter is subject to on-going consideration. I expect to be in a position to confirm a formal position by 26 September.

Point 7

“You responded to my request for a further meeting during recess, to establish and discuss the outcome of your meeting on 12 August with the Cabinet Secretary for Finance and Local Government, by suggesting there would not be merit in a further meeting until the Cabinet had reached its final decision in September [...]”

- **Response:**
I have met and exchanged correspondence with you throughout summer recess and again, I thank you for the time that you have devoted to this work. I do not believe there is merit in us having further discussions until a final position is reached unless there are any new issues or updates to discuss.

Point 8

“I highlighted my intention to hold a member’s business debate in early September, the potential for further scrutiny from the Education, Children and Young People Committee and, in addition, I will of course consider other means to highlight these matters within the normal parliamentary process [...]”

- **Response:**
As stated, I acknowledge and respect the steps that you are taking through the Parliamentary process to encourage further discussion around how best improvements can be made – both at a national and regional level – in the equitable provision and access to residential outdoor education. I am happy to participate in those discussions in my Ministerial capacity and to bring focus to the Scottish Government’s on-going commitment and support for the unique contribution made by residential outdoor centres.

Point 9

“Finally, you and your officials acknowledged my team’s procedural point that the financial resolution process should solely focus on affordability. Issues relating to commencement and other matters that may require stage 2 amendments can be the focus of the later stages of parliamentary scrutiny.”

- **Response:**
I agree that the principle focus of any deliberations around the Financial Resolution should be on the costs of the provisions. In determining whether or not to lodge a motion for a Financial Resolution for this Member’s Bill, it will be important for Ministers to give close consideration to whether there is clarity and assurance around all of the potential costs of the Bill, and in turn whether the entire package is affordable.

EXAMPLE POLICY-BASED PILOT APPROACH: ILLUSTRATIVE ONLY

[Redaction – Section 29(1)(a)]

Attachment 14: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Financial Resolution Handling - Paper - DRAFT FOR MINISTERIAL REVIEW - submitted 29 August

[Redaction – Section 29(1)(b)]

From: Minister for Children, Young People & The Promise
Issue Date

[Redaction – Section 29(1)(b)]

[Redaction – Section 29(1)(b)] **SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: AGREEMENT TO SCOTTISH GOVERNMENT POSITION ON THE FINANCIAL RESOLUTION** [Redaction – Section 29(1)(b)]

Purpose and Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect** the decision reached [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member's Bill and not lodge a Financial Resolution at that time;
- ◆ **Recollect** that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;

[Redaction – Section 29(1)(b)]

- ◆ **Note** the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;
- ◆ **Note** that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;
- ◆ **Note** the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, [Redaction – Section 30(b)(i)]

- ◆ **Note** that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member's Bill from progressing in this way;
- ◆ **Note** that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government's outstanding concerns with the Bill and handling approach since Stage 1;

[Redaction – Section 30(b)(i)]

- ◆ **Agree** that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at **Annex C**) be issued to the Education, Children & Young People Committee (copied to the Member in Charge) by 26 September, **[Redaction – Section 30(b)(i)]** will now be progressed by the Scottish Government;
- ◆ **Agree** that the Minister for Children, Young People & The Promise should make a statement to Parliament **[Redaction – Section 30(b)(i)]**

Priority

1. **Routine.** Responses are requested by **close on Friday 5 September 2025**. This is to enable the Scottish Government to confirm its position to the lead Committee in advance of the Minister for Children, Young People & The Promise appearing at Committee on 10 September to answer questions on Government's handling of the Bill following Stage 1.

Background

2. Liz Smith MSP introduced this Member's Bill on 20 June 2024 – **Annex A** summarises main intent of the Bill and focus of the provisions. The Education, Children & Young People Committee (lead Committee for scrutiny of the Bill) reported its Stage 1 findings on 4 February 2025, informed by a formal call for evidence process, evidence sessions with key stakeholders and Scottish Ministers, and associated findings from the Finance & Public Administration Committee's scrutiny of the Financial Memorandum. The Education Committee concluded that while it supported the general principles of the Bill, this legislation should only progress if a number of concerns relating to affordability and deliverability of the provisions were addressed.

[Redaction – Section 29(1)(b)]

3. The Bill passed Stage 1 on 27 March with 64 votes for, 1 vote against, 53 abstaining and 10 not voting. Consequently, the Scottish Government has up to 6 months following conclusion of Stage 1 (i.e. by 26 September) to confirm whether or not it intends to lodge a motion for a Financial Resolution or the Bill will fall.

4. Following conclusion of Stage 1, I have undertaken a number of engagements and related policy development work to better understand the potential implications of this Member's Bill, should it progress; and how best the will of Parliament demonstrated at Stage 1 may be met through alternative policy-based activities, should the Bill fall. This has included regular engagement with Liz Smith MSP to provide clarity on my

expectations for the work that she would lead, as the Member in Charge, to attempt to establish assurance around the following issues relating to the provisions in her Bill:

- **Affordability**, and clarity on total potential costs for delivery
- **Equity of provision**, including deliverability for pupils with complex and/or multiple support needs
- **Workforce** implications

5. I address each of these in turn below, including the steps taken by Liz Smith MSP and outstanding gaps where I feel assurance has yet to be established.

Discussion of progress made by the Member in Charge

6. Since Stage 1, Liz Smith MSP **[Redaction – Section 30(b)(ii)]** has engaged closely with the outdoor education sector – having undertaken a number of visits to outdoor education centres during summer recess – and her commitment to residential outdoor education is clear. **[Redaction – Section 30(b)(ii)]**

7. Most notably, in response to Government's asks, Liz Smith MSP has indicated that she is open to considering amendments to her Bill in a number of areas raised as concerns by me and by the lead Committee, in particular in relation to overall cost. This includes moving from universal funding to targeted funding for pupils in deprived circumstances and those with additional support needs (ASN). Specifically, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for "all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an additional support need" only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.** For context, our own latest estimates of the potential financial costs of the Bill, as introduced, suggest an **annual cost of the Bill ranging from £24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in data on the total costs of residential school trips across different variables.

8. Liz Smith MSP has also indicated an openness to consider changes in commencement of the provisions to reflect a more transitional (phased) approach, which could mitigate higher costs for delivery in the early years of implementation, and would allow time for baseline costs to be established. Nevertheless, this entails a legislative requirement being in place before full costs are understood.

9. **However, despite the evident efforts demonstrated by Liz Smith MSP and her team, there remain outstanding concerns relating to be addressed as follows:**

- **Affordability**

[Redaction – Section 30(b)(i)]

- **Clarity on total potential costs**
- **[Redaction – Section 30(b)(i)] Other outstanding deliverability concerns**

10. While the principal focus of any decision around the Financial Resolution must be on questions of affordability and clarity on total potential costs of the legislation, the following wider deliverability concerns remain substantive points for consideration; and may, in certain cases, represent areas of potential additional indirect costs for delivery.

[Redaction – Section 30(b)(i)]

Financial Resolution: Handling Options

11. The handling options are:

OPTION 1:

Lodge a motion for the Financial Resolution and seek amendments at Stage 2

[Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(a)]

[Redaction – Section 30(b)(i)]

OPTION 2:

Do not lodge motion for Financial Resolution resulting in the Bill falling, but commit to an alternative non-legislative approach

12. This approach aligns with [Redaction – Section 29(1)(b)] Government's current position as expressed at Stage 1, where we committed to only doing so if and when assurance on outstanding concerns could be established. [Redaction – Section 30(b)(i)]

- *An alternative non-legislative approach*

[Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(a)]

Preferred Approach & Proposed Next Steps

[Redaction – Section 29(1)(b)]

[Redaction – Section 30(b)(i)]

13. [Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)]

Verity House Agreement Implications

14. [Redaction – Section 29(1)(b)], should the Bill become law it would impose a range of new statutory duties on local authorities. Though the financial obligation of funding those duties would sit with Scottish Ministers – to provide to education authorities and managers of grant-aided schools – should the Bill be enacted we would need to work closely with COSLA and ADES to plan and prepare for implementation of the provisions. An appropriate level of funding for local authorities would need to be agreed through the Scottish budget process.

15. **[Redaction – Section 30(b)(i)]**, in this context there would still be implications for local authorities around supporting delivery of any alternative non-legislative approach, including a targeted pilot across a cohort of relevant and willing local authorities.

[Redaction – Section 30(b)(ii)] Unfortunately, while I have discussed the Bill and options for an alternative approach with COSLA political leaders, timings for formal agreement by COSLA's Leadership Board would not coincide with our own internal governance and procedural requirements to confirm a formal Government position on the Bill by 26 September. **[Redaction – Section 30(b)(ii)]** I will ensure early engagement takes place with COSLA following my parliamentary statement.

Legal Considerations

[Redaction – Section 36(1)]

Financial Implications

[Redaction – Section 30(b)(i)]

Other Resource Implications

16. **[Redaction – Section 29(1)(b)]** should the Bill progress to Stage 2, policy officials and legal officials would need to support a range of amendments; and if the Bill became law, significant resources would need to be committed across the Scottish Government and Education Scotland (including the new inspectorate) in the near term to enable effective implementation.

[Redaction – Section 30(b)(i)]

17. If the Bill were not to progress, and the Government committed to delivering other non-legislative interventions, some of these diverted resource implications would remain (principally related to the lead policy team and Education Scotland), but to a lesser extent. So far, to meet the demands of shadowing the Bill, a temporary restructure of the Curriculum Policy team has been in place, which would remain to support this. There would also be less pressure on SGLD and PCO to deliver this option.

Stakeholder Engagement

18. The outdoor education sector appears to be broadly supportive of this Bill; however, this sentiment is not shared by key delivery partners. Liz Smith MSP met with COSLA leaders on 12 June to discuss a number of the above concerns around affordability and deliverability of her Bill, on my urging. I similarly met with both Cllr Buchanan and Cllr Hagmann on 6 August. **[Redaction – Section 30(b)(ii)]** My officials have also been in regular contact with the Association for Directors of Education in Scotland (ADES), **[Redaction – Section 30(b)(ii)]**

19. Specifically, both COSLA and ADES have indicated that similar challenges faced by the Bill would apply in the context of a policy-based pilot but at a smaller scale;

[Redaction – Section 30(b)(ii)]

[Redaction – Section 30(b)(i)]

20.

Opposition Parties & Parliamentary Considerations

21. Setting aside the abstentions at Stage 1, the Bill secured considerable support from other MSPs, with only one vote against its general principles. If a motion for a

Financial Resolution was laid and agreed to by Parliament, it is likely that the Bill would have a majority of support in Committee at Stage 2 and in the Chamber at Stage 3. Indeed, it is well known publicly that Liz Smith MSP has made significant compromises in her approach since Stage 1 in discussions with myself, and has been engaging other Members to inform these considerations. **[Redaction – Section 30(b)(i)]**

22. **[Redaction – Section 30(b)(ii)]**

23. **[Redaction – Section 30(b)(ii)]** I have now been invited to appear before the Education Committee on 10 September to answer further questions on this Bill and Government's handling following Stage 1.

Presentation Issues

24. Since Stage 1, there has been minimal media coverage on the Bill. However, the Scottish Government has received a co-ordinated campaign of letters from pupils advocating for Ministers to support its progression – from six schools, representing approximately 50 letters. We also received a letter from the Association of Heads of Outdoor Education Centres on 24 June outlining their concern that **[Redaction – Section 30(b)(ii)]**

25. **[Redaction – Section 29(1)(b)]** I would work with my officials to prepare a robust comms plan and lines to take in advance of any announcement to Parliament, which would seek to foreground and positively promote Government's new policy commitments on residential provision, as well as existing support provided to practitioners through Education Scotland.

Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect the decision [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member's Bill and not lodge a Financial Resolution at that time;**
- ◆ **Recollect that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;**

[Redaction – Section 29(1)(b)]

- ◆ **Note the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;**
- ◆ **Note that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;**

- ◆ **Note** the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, [Redaction – Section 30(b)(i)]
- ◆ **Note** that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member's Bill from progressing in this way;
- ◆ **Note** that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government's outstanding concerns with the Bill and handling approach since Stage 1;

[Redaction – Section 30(b)(i)]

- ◆ **Agree** that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at Annex C) be issued to the Education, Children & Young People Committee (copied to the Member in Charge) by 26 September, [Redaction – Section 30(b)(i)] will now be progressed by the Scottish Government;
- ◆ **Agree** that the Minister for Children, Young People & The Promise should make a statement to Parliament outlining the reasons behind the Government's decision [Redaction – Section 30(b)(i)]

ND
August 2025

Copy List	For Action	For Comments	Portfolio Interest	Constituency Interest	General Awareness
Cabinet Secretary for Education & Skills Minister for Children, Young People & The Promise Solicitor General			X X		X

Permanent Secretary
Solicitor to the Scottish Government
Chief Parliamentary Counsel
Legal Secretariat to the Lord Advocate
Andy Bruce, Director of Communications and Ministerial Support
Helen Webster, Head of Cabinet Secretariat
[Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)], Cabinet Secretariat
Inbox
PLU: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction –
Section 38(1)(b)] [Redaction – Section 38(1)(b)]
[Redaction – Section 38(1)(b)], REUL Co-ordinator
SGLD Legislation co-ordinators: [Redaction – Section 38(1)(b)] [Redaction –
Section 38(1)(b)] [Redaction – Section 38(1)(b)]
Finance Business Partner Division: [Redaction – Section 38(1)(b)] [Redaction –
Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]
DG Education and Justice
Clare Hicks, Director, Educational Reform
Graeme Logan, Director, Learning
Lewis Hedge, Deputy Director, Curriculum & Qualifications Division
Lisa Bird, Deputy Director, Education Reform
Alison Taylor, Deputy Director, Improvement Attainment & Wellbeing
[Redaction – Section 38(1)(b)] (SGLD)
SGLD School Education
[Redaction – Section 38(1)(b)] (SGLD)
[Redaction – Section 38(1)(b)] (SGLD)
Jonathan Brown (PCO)
[Redaction – Section 38(1)(b)] (PCO)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery)
[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery,
Finance)
[Redaction – Section 38(1)(b)] (EAS)
[Redaction – Section 38(1)(b)] (EAS)
Gillian Hamilton (Interim Chief Executive, Education Scotland)
Ollie Bray (Strategic Director, Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
Janie McManus (Interim Chief Inspector, HMle)
Kate Higgens (Special Advisor)

Jeanette Campbell (Special Advisor)
DL SpAds Admin

SUMMARY OF PROVISIONS

1. The Bill aims to ensure universal provision and access to “one course” of residential outdoor education for all pupils.
2. To achieve this, the Bill proposes new statutory duties on:
 - ◆ Education authorities, in relation to management of public schools, and Managers of grant-aided schools to provide or secure at least four nights and five days of residential outdoor education to their pupils;
 - ◆ Scottish Ministers, to prepare and publish guidance to Education authorities and Managers of grant-aided schools about the duties to be imposed by the Bill (including any engagement with inspections), which Education authorities and Managers of grant-aided schools must have regard to in exercising those duties.
 - ◆ Scottish Ministers, to pay a “sufficient amount” to Education authorities and Managers of grant-aided schools to carry out their new statutory duties in respect of residential outdoor education as provided for by the Bill. Effectively, the course of residential outdoor education should be free of charge to pupils and fully funded by Scottish Ministers.

PROPOSALS FOR POTENTIAL STAGE 2 AMENDMENTS

1. Initial scoping of proposals for potential Stage 2 amendments is presented below, which have been informed by SGLD and Parliamentary Counsel. These proposals have been grouped into duty to fund, commencement, length of residential and issuing of guidance.

[Redaction – Section 29(1)(a)]

ANNEX C

[OUT OF SCOPE]

[DRAFT LETTER] ANNEX B

[OUT OF SCOPE]

EXAMPLE POLICY-BASED PILOT APPROACH: ILLUSTRATIVE ONLY

[Redaction – Section 29(1)(a)]

Attachment 15: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Education Committee - Ministerial Appearance 10 Sept - DRAFT briefing - 1 Sept

What	Appearance at the Education, Children & Young People Committee to discuss the Schools (Residential Outdoor Education) (Scotland) Bill
When	10 September, 08:30-09:15
Where	Committee Room 1, Scottish Parliament
Who	Education, Children & Young People Committee
Why	To answer questions on Government’s handling approach to this Member’s Bill following its passing at Stage 1 in March 2025, and Government’s position on the Financial Resolution for the Bill that must be confirmed by 26 September. The Committee’s invitation for you to appear came shortly after your most recent meeting with Liz Smith

MINISTER FOR CHILDREN, YOUNG PEOPLE AND THE PROMISE
Briefing for APPEARANCE AT EDUCATION, CHILDREN & YOUNG PEOPLE
COMMITTEE TO DISCUSS SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION)
(SCOTLAND) BILL

	MSP on 12 August, following which she wrote to express frustration at and criticism of the Government’s approach since Stage 1.
Key messages	<ul style="list-style-type: none"> • Government is committed to supporting outdoor learning, and recognises the unique and important role played by residential outdoor education in a young person’s development. This is reflected in our Learning for Sustainability Action Plan. • The Curriculum Improvement Cycle – led by Education Scotland – is delivering systemic change, ensuring that the place of key themes and contexts for learning including sustainability and outdoor learning are strengthened across the 3-18 curriculum. • I welcome Liz Smith’s leadership in raising awareness of the value and benefit of residential outdoor education for pupils. • Delivering improvements in provision and access is important and we need to get this right to ensure positive outcomes for our children and young people – this means ensuring any new approach is affordable, equitable and deliverable.
Speech details	Ministerial opening remarks – 3 minutes
Official support	Lewis Hedge, Deputy Director Curriculum & Qualifications lewis.hedge@gov.scot [Redaction – Section 38(1)(b)] Team Leader LfS & OL [Redaction – Section 38(1)(b)]@gov.scot [Redaction – Section 38(1)(b)] , SGLD Education [Redaction – Section 38(1)(b)]@gov.scot
Media handling	N/A (Comms will monitor for any external media activity on the day)
Dress code	Formal
Briefing contents	<p><u>Speaking Notes:</u> Opening Statement, 3 minutes (attached separately) Annex A: Committee Members <u>Section 1: Key Issues Potential Q&A</u> Annex B: <u>Concerns with Government Handling</u> raised by Liz Smith Annex C: <u>Delivery on ECYP Committee Stage 1 Recommendations</u> Annex D: <u>Financial Concerns: Affordability & Clarity on Costs</u> Annex E: <u>Deliverability Concerns: Equity of Provision</u> Annex F: <u>Deliverability Concerns: Workforce Implications</u> <u>Section 2: Additional Briefing</u> Annex G: Timeline of Activities Following Stage 1 Annex H: Progress Made by Liz Smith MSP Annex I: Example Pilot Approach Annex J: SG Support for Outdoor Learning & ROE: Top Lines</p>

ANNEX A
[OUT OF SCOPE]

CONCERNS WITH GOVERNMENT HANDLING RAISED BY LIZ SMITH MSP

KEY ISSUES

- **[Redaction – Section 30(b)(ii)]** In her letter (12 August), Liz Smith MSP raised **concern that Government had prioritised work to develop an alternative non-legislative** approach, rather than undertaking additional cost modelling on her proposals for a more targeted legislative approach via potential amendments at Stage 2.
- Liz Smith MSP has further raised the point that any **decision by Ministers on whether to lodge a motion for a Financial Resolution should focus on financial issues only**, i.e. affordability and clarity on total costs.
- **[Redaction – Section 29(1)(b)]**
- Liz Smith MSP is concerned (as of letter, 12 August) that Government cannot “confirm a date for Cabinet (or CSCL)” to decide its position. The **Ministerial Code states that “The internal processes through which a Government decision has been made should not normally be disclosed”**.
- Note: Liz Smith MSP has written to you 6 times following Stage 1), often times copied to the Education Committee Convenor.
- Note: During your Stage 1 Committee appearance on 27 November 2024, Douglas Ross MSP asked whether Government was “genuinely neutral” on the Bill at that time. You emphasised that while you were positive about aspects of the Bill, scrutiny of the financial costs of the Bill was important.
- Note: Government did not lodge a motion for a Financial Resolution ahead of conclusion of Stage 1 for the Period Products (Free Provision) (Scotland) Bill in Session 5 – at the time, Ministers agreed to continue discussions after Stage 1 to seek agreement across political parties on the detail of the Bill, including financial implications, to allow improved cost estimates to be produced – a motion for a Financial Resolution was agreed.

[OUT OF SCOPE]
.....**POTENTIAL Q&A****WILL GOVERNMENT LODGE A MOTION FOR A FINANCIAL RESOLUTION?**

- This matter is subject to on-going consideration.
- Government will confirm its position by 26 September.
- The work that the Member in Charge has undertaken over recent months and shared with me – as well as my and my officials’ engagement with COSLA, teacher trade unions, ADES and the sector – will be used to inform this.

WHEN WILL CABINET OR [Redaction – Section 30(b)(i)] MEET TO DECIDE?

- Handling of the Financial Resolution for this Bill is a matter that is subject to on-going consideration and collective decision-making within Government.
- This will be taken forward in time to ensure Government can confirm its position by 26th September.

[IF PRESSED]

- I cannot comment further on Ministerial decision-making processes.

- [OUT OF SCOPE]

DELIVERY ON ECYP COMMITTEE STAGE 1 RECOMMENDATIONS

KEY ISSUES

- In its Stage 1 Report (published 4 February 2025), the Education Committee set out a number of **recommended actions for Government to undertake ahead of Stage 2**, should the Bill pass the Stage 1 vote. Government's response to the Stage 1 Report was submitted to Committee on 26 March, acknowledging the recommendations.
- **[Redaction – Section 29(1)(a)]**
- Other recommendations include, e.g. exploring how to ensure sector capacity to meet the needs of all pupils, including those with ASN.
- It is **possible Committee may ask for an update on Government's work in response to the recommendations** set out, including how Ministers have worked with the Member in Charge to address key points. **Annex G** summarises activities undertaken since Stage 1.
- Note: During Spring 2025, the Association of Heads of Outdoor Centres (AHOEC) assisted Scottish Government by surveying their members on a number of key evidence gaps related to the Bill. Responses were received from 23 centres.
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[OUT OF SCOPE]**POTENTIAL Q&A****IF BILL FALLS, HOW WILL GOVERNMENT IMPROVE EQUITY OF PROVISION?**

Stage 1 Report Recommendation: The Scottish Government should set out how it plans to address the existing variation in levels of provision of residential outdoor education across Scotland, should the Bill not proceed.

- This question pre-empts confirmation of the Government's position on the Financial Resolution, which we will provide by 26 September.
- Government already provides a range of support to schools, teachers and the wider outdoor education sector to improve provision and access to impactful outdoor learning experiences, including residential.
- Pupil Equity Funding supports schools to deliver valuable outdoor learning experiences for their pupils, as is highlighted in the report published in May summarising findings from engagement with 129 schools across all 32 local authorities around educational outcomes being delivered through PEF.
- Education Scotland has worked to capture good practice from settings and communities across Scotland, with a special focus on economically deprived areas as well as rural and remote areas, as part of its new Learning for Sustainability resources available to teachers.

- We continue to work closely with partners – including through the national Outdoor Learning Strategic Working Group – to develop a set of concrete actions to form the basis of advice to Ministers on next steps that can be taken to improve provision and access to all forms of outdoor learning.

[IF PRESSED]

- The early scoping that we have done around a potential targeted pilot approach would be relevant in either scenario, should the Bill progress or not.

WHAT IS GOVERNMENT DOING TO IMPROVE DATA ON PROVISION?

Stage 1 Report Recommendation: Scottish Government must work with COSLA and local authorities on ensuring data is collected in relation to residential outdoor education provision across Scotland, in order to identify and address any inequalities arising from current practice.

- The issue of a lack of robust and consistent data on current levels and forms of provision of residential outdoor education across Scotland is an important point to be addressed, which I welcome scrutiny of this Bill having helped to highlight.
- Of course, local authorities are responsible for running schools and individual schools and teachers make decisions on the residential outdoor learning experiences that they offer to pupils. So data collection and monitoring and evaluation require a system-wide approach.
- Good practice approaches and insights on provision of outdoor learning, including residential, are already available through various channels.
- For example, through Education Scotland's on-going work to support practitioners to access new case studies and wider resources on Learning for Sustainability, our report on PEF delivery that published in May, and thematic inspections by HMIE, such as that published in 2022 on outdoor learning.
- I set out considerations around use of data systems such as EVOLVE to help gather data on residential in my letter to Committee on 13 December.
- This includes, for example, any annual costs that local authorities would need to pay to access and use the system, software adaptability to provide desired functionality for schools, and potential impacts on teacher engagement in provision of residential associated with a new data input requirement.
- Any activity to improve data gathering would also need to take account of any approach to inspection of outdoor education that may be set out by the His Majesty's Chief Inspector of Education in Scotland as part of their inspection plan, as per the Education (Scotland) Act.

HAVE YOU WORKED WITH THE MEMBER TO DEVELOP AN APPROACH TO ASSESSING SECTOR CAPACITY?

Stage 1 Report Recommendation: Should the Bill pass Stage 1, the Scottish Government and the Member in Charge are invited to consider and come forward with an approach prior to Stage 2 that sets out how best to assess the capacity of the existing residential outdoor education sector, in particular the sector's ability to accommodate and meet the needs of ASN pupils.

Stage 1 Report Recommendation: Scottish Government should undertake work to establish whether the capacity and facilities of outdoor centres available to Scottish schools matches the needs of all pupils, how any gaps can be addressed and whether the Bill could result in increased financial pressures for outdoor centres.

- Government shares the Committee's concern that capacity of the sector to respond to the demands of this Bill is unclear. I understand that COSLA are of a similar view at present. And I have previously discussed capacity with AHOEC and The Outward Bound Trust.
- Earlier this year we undertook an initial sectoral analysis, supported by the Association of the Heads of Outdoor Education Centres (AHOEC), to develop indicative insights into current sectoral readiness, if the Bill progressed.
- There is some evidence from this initial work that the overall number of beds, or capacity, has reduced across some centres that participated in the survey and I remain concerned that there is currently very limited capacity to host pupils with complex and/or multiple support needs.
- I have discussed this on numerous occasions with Liz Smith.
- I should also note that in correspondence to me Liz Smith relayed the view of the sector that, rather than capacity, the issue holding back participating is the willingness of young people, or that of their parents, to take part due to things like anxiety. I am not convinced that legislating resolves this particular issue.

HAVE YOU MEANINGFULLY EXPLORED OTHER FUNDING APPROACHES?

Stage 1 Report Recommendation: Scottish Government should continue to liaise with the Member in Charge to explore alternative funding options, such as a public trust funding model, in a meaningful way.

- Liz Smith has proposed a "public trust funding" model to leverage private finance alongside public funding to support delivery on the provisions.
- Ministers are not opposed to innovative approaches to funding, particularly in the current fiscal context, and if these help bridge wider societal and economic support for the education of our young people.
- However, relying on third party funding to deliver statutory duties is not a viable approach. Certainly, a reliance on private financial contributions to raise sufficient funding for equitable access to what would be viewed as extra-curricular entitlements across all local authorities is unprecedented.
- In a statutory context, Government would still need to provide sizeable financial support to meet delivery requirements of the legislation in the absence of sufficient financial contributions.
- This would create uncertainty as to the funding that would be required from Government in any given year, which is not practicable – Ministers would remain responsible for underwriting all costs.

WILL SNCT NEED TO MAKE CONTRACTUAL CHANGES IF BILL PROCEEDS?

Stage 1 Report Recommendation: Scottish Government should set out its view as to whether the Scottish Negotiating Committee for Teachers would need to consider a potential change to teachers' existing contractual arrangements, should the Bill become law. In doing so, the Scottish Government should provide an estimate of any associated costs.

- It would not be appropriate for me to comment on potential outcomes of any future deliberations that the SNCT may wish to make, as a tripartite group, should this Bill become law, but it should contractual changes be decided then this could lead to a requirement for additional remuneration.
- I have met with representatives of teacher trade unions to discuss the potential implications of the Bill – they have expressed significant concerns with the approach

proposed by this legislation, including the assumption of on-going voluntary participation of teachers in the context of statutory duties for provision.

.....

BACKGROUND BRIEFING

ECYP COMMITTEE STAGE 1 REPORT:

Other recommendations for consideration ahead of Stage 2 [if passed Stage 1]

- Should the Bill pass Stage 1, the Scottish Government should confirm whether it intends to lodge a Financial Resolution.
- In relation to (in) equity of provision, in particular for ASN pupils, the Scottish Government should explore what more can be done to address this, including to consider how the Bill could ensure all children and young people have equal access to outdoor education.
- In relation to exploring targeted capital funding for outdoor education centres, the Committee would welcome an update from the Scottish Government on this work including costs associated with access requirements.

FINANCIAL CONCERNS: AFFORDABILITY & CLARITY ON COSTS**KEY ISSUES****AFFORDABILITY**

- In her letter dated 31 July, Liz Smith MSP details **revised cost modelling** for targeted provision across all primary children [P6 or P7] in receipt of the Scottish Child Payment and/or pupils with Additional Support Needs (ASN). This produces a cost range of between **£15,289,000 to £16,832,000** (adjusted for inflation for delivery from 2027/28).
- In her letter dated 12 August, Liz Smith MSP criticises Government for not having yet set out **what an “affordable” level of costs is for her Bill**.
- At Stage 1, you stated that Government would only bring forward a motion for a Financial Resolution “if and when” affordability of the provisions can be assured. Committee may press for clarity on what this means in practice.

[Redaction – Section 30(b)(i)]

CLARITY ON TOTAL COSTS

- It remains **unclear what the total potential costs of the Bill are**, whether in an amended targeted form or as introduced, in particular as relate to transport, provision for pupils with ASN, and staffing. There are analytical caveats to latest revised cost modelling provided by Liz Smith MSP on 31 July, in particular related to transport costs and provision for pupils with ASN.
- There are limitations around the extent to which some costs can be fully and robustly modelled due to sparsity of nationally representative data held at the school level, and complexities involved (e.g. how the need for staff cover or service adjustments for pupils with complex needs are very context specific).
- Enabling the Bill to proceed would **risk exposing Ministers to an unknown future potential cost** that may exceed existing estimates.

TOP LINES

The Bill is unaffordable as introduced, and even in a targeted form would require significant adjustments to be made within the future Education & Skills portfolio budget that would impact on deliverability of Government priorities and activities.

- Liz Smith has not indicated where she sees this additional funding being drawn from and what important existing policy ambitions and delivery activities should be impacted to accommodate provision of her Bill.

There remains a lack of clarity around the full potential costs of the Bill.

- In part, this is due to limited data available relating to transport and costs to support pupils with additional support needs.
- Total potential costs are also dependent on the staffing implications being fully understood and I – like COSLA – remain unconvinced by Liz Smith’s assumption that the current reliance on teachers’ voluntary participation would be robust at scale in the presence of a legislative requirement.
- Enabling the Bill to progress in such a scenario would risk the Government being exposed to an unknown future recurring budget pressure that could exceed existing estimates.

POTENTIAL Q&A**WHAT LEVEL IS AFFORDABLE?**

- Clearly, introducing new duties to fund in the current financial context forces difficult choices about what to defund in order to accommodate new expenditure. Liz Smith has not offered any suggestions about what in Education should be stopped in preference for residential outdoor education when Ministers bring forward a budget for this Parliament's consideration.
- This difficulty is compounded by the fact that the total potential costs of the provisions due to outstanding gaps in the data available and assumptions underpinning the proposed delivery approach.
- I have discussed these concerns with the Member in Charge.

WHY HAS GOVERNMENT NOT DONE WORK TO ESTIMATE COSTS?

- Despite this not being a government-supported Bill I did ask officials to do some work to aid our assessment, which I also shared with Liz Smith.
- As early as Spring, Government worked with the sector to better understand deliverability of the Bill based on current capacity. This provided early insights on potential capital investment requirements of some centres that may align with improving quality of provision.
- Working with Education Scotland, we have also engaged the National Complex Needs Network on the Bill, with insights suggesting that effective provision of residential for some pupils with severe disabilities can, in some cases, exceed £1000 per pupil.
- In May I shared with Liz Smith the Government's analysis, and caveats, that informed our revised higher cost estimates for delivery of the Bill, as introduced.
- Following receipt in July, I have considered, in detail, the further cost modelling for a targeted approach produced by Liz Smith and shared Government's early estimates for a similarly targeted pilot approach.
- However our understanding of total costs remains limited and so an early pilot programme as part of a transitional (or phased) approach to delivery could help address some of the existing data gaps, building a more robust and accurate understanding of overall costs.

[IF PRESSED]

- As Government highlighted in our Stage 1 Report response on 26 March, the degree to which some costs can be modelled for is complex – for example, the many variables relating to costs to support pupils with complex and/or multiple support needs in different circumstances.
- Significant new data gathering and analysis is needed to better inform financial modelling around the Bill, which takes time. A pilot approach could help with this.

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BACKGROUND BRIEFING

AFFORDABILITY

SG estimates of the potential financial costs of the Bill, as introduced, suggest an annual cost of the Bill ranging from **£24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in cost variables.

As of 31 July, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for “all primary children [across P6 or P7] in receipt of

the Scottish Child Payment and/or with an additional support need” only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.**

CLARITY ON TOTAL POTENTIAL COSTS

1) Transport

- Both the Financial Memorandum and revised costings provided by the Member in Charge to Government on 31 July are based on a misunderstanding of a table presented on a single coach hire website. **[Redaction – Section 30(b)(i)]**

2) Staffing

- The Financial Memorandum accompanying the Bill at introduction assumes that delivery of the provisions would continue to operate on a goodwill, or voluntary basis across teachers in terms of their own participation in residential visits.
- Liz Smith MSP has more recently presented proposals to target provision across P6-P7 pupils – suggesting that this would reduce the number of pupils involved in residential visits and hence this would reduce pressures on teachers. **[Redaction – Section 30(b)(i)]**
- Liz Smith MSP has also not met with teacher trade unions herself, **[Redaction – Section 30(b)(ii)]**

Stakeholder Views on Voluntary Teacher Participation:

- (a) **TEACHER TRADE UNIONS:** At Stage 1, evidence was submitted to the Education Committee by: EIS, AHDS and NASUWT. All three unions raised concerns with the legislative approach:
- NASUWT specifically indicated that their advice to “teacher members is that they should always be advised not to participate in visits and journeys that are non-contractual [...]”.
 - AHDS stated “prioritising expenditure on these [residential] trips before core spend would risk diminishing the necessary goodwill from staff to enable these trips happen.”

Feedback at your meeting on 25 August with representatives of the 5 main professional associations further emphasised these points. **[Redaction – Section 30(b)(ii)]**

- (b) **COSLA:** **[Redaction – Section 30(b)(ii)]** Liz Smith MSP recognised that COSLA remains concerned about potential workforce implications, but emphasised that evidence to the lead Committee during Stage 1 suggested teachers are keen to provide residential visits voluntarily and so she does not share COSLA’s concerns. **[Redaction – Section 30(b)(i)]**

3) Support pupils with complex and/or multiple support needs

- Liz Smith MSP has assumed up to £1.5 million additional finance to support between 212-225 pupils with complex and/or multiple support needs across P6-P7 within her revised cost modelling for a targeted approach.
- **[Redaction – Section 30(b)(ii)]** the assumption around the number of pupils across which it would be divided is based solely on pupils attending Special Schools. Not all

pupils with complex and/or multiple support needs will attend a Special School and relevant data currently collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits.

[Redaction – Section 30(b)(ii)] Again, to address these concerns would require substantive data gathering and analysis.

4) Other potential ancillary costs

- The Financial Memorandum does not include other associated costs to deliver the Bill such as: insurance, spare clothing, training and admin costs.
- It also does not include potential capital costs to upgrade or retrofit existing outdoor education centres to ensure the facilities are of sufficient quality and capacity to provide the level of provision required.
- In her letter dated 31 July, Liz Smith MSP acknowledges that some outdoor education centres are in “much need of capital upgrades”, such as Adroy and Broomlee. The Member refers to potential opportunities for “formal collaboration between the public and private sectors” around infrastructure provision.
- You indicated at Committee (27 November 2024) that you have discussed with Liz Smith MSP “non-legislative options such as securing private investment to aid with reinvestment and capital building works”.

ANNEX E

DELIVERABILITY CONCERNS: EQUITY OF PROVISION

KEY ISSUES (non-financial)

- In letters dated 5 June and 31 July, Liz Smith MSP references **examples of centres with disability facilities** including: the National Sports Training Centre (NSTC) (can accommodate up to 120 pupils, with 6 beds adapted with hoists for those requiring additional support), PGL Dalguise (private sector - Perthshire) and the Sir Arthur Grant Centre (council – Aberdeenshire).
- But COSLA noted in its response to the Committee’s Stage 1 Call for Views that it is unclear the extent to which the current sector has **capacity to ensure sufficient places at centres would be available for pupils to attend during the spring/summer months** – if insufficient, schools/councils would potentially need to make decisions about which pupils attend at different times of the year, receiving different types of experience by season.
- Nick March (AHOEC) indicated in your meeting on 25 February 2025 that in most centres ASN provision is limited by overnight facilities – with most centres only able to cater to one child with complex needs, if any (**classes of pupils with complex needs must go to England for overnight provision**).
- Liz Smith MSP (31 July) acknowledges trend across some centres of between 15-20% of pupils signed up to attend a residential not turning up, noting one reason being anxiety of either/both the young person or parents.
- Note: not all pupils with complex ASN attend special schools, but relevant data collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in residential.

OUT OF SCOPE

ANNEX F OUT OF SCOPE

OUT OF SCOPE

PROGRESS MADE BY LIZ SMITH MSP

Based on engagement and correspondence up to 12 August:

10. On affordability,

- **Liz Smith MSP has** provided revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment. As part of these estimates, **Liz Smith MSP has** produced revised cost figures associated with staffing and transport, and as adjusted for inflation.

[Redaction – Section 29(1)(a)]

11. On equity of provision,

- **Liz Smith MSP has** referred in her letters dated 5 June and 31 July to different examples of outdoor education centres with disability facilities in Scotland, and in her letter dated 31 July, **Liz Smith MSP has** referred to the potential of public-private finance to support new infrastructure development.

[Redaction – Section 29(1)(a)]

12. On workforce implications,

- **Liz Smith MSP has** met with COSLA on 12 June to discuss. COSLA have separately expressed concern to you that Liz Smith's MPS positive tone at this meeting did not reflect the depth of their concern around the Bill. They sent a follow up letter to the Member setting out their position on 20 June.
- **Liz Smith MSP has not** engaged trade unions to explore the potential implications of her Bill as introduced, and has confirmed that she does not believe that it would be appropriate for her to do so.

OUT OF SCOPE

OUT OF SCOPE

Attachment 16: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Financial Resolution Handling - Paper - Draft for Ministerial review V2 - submitted 5 Sept

[Redaction – Section 29(1)(b)]

From: Minister for Children, Young People & The Promise

Issue Date

[Redaction – Section 29(1)(b)]

[Redaction – Section 29(1)(b)] **SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION)
(SCOTLAND) BILL: AGREEMENT TO SCOTTISH GOVERNMENT POSITION ON
THE FINANCIAL RESOLUTION** [Redaction – Section 29(1)(b)]

Purpose and Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect** the decision [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member's Bill and not lodge a Financial Resolution at that time;
- ◆ **Recollect** that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;

[Redaction – Section 29(1)(b)]

- ◆ **Note** the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;
- ◆ **Note** that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;
- ◆ **Note** the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, [Redaction – Section 30(b)(i)]

- ◆ **Note** that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member's Bill from progressing in this way;
- ◆ **Note** the scheduling of a Member's Debate on residential outdoor education and this Bill (motion lodged by Liz Smith MSP) on 9 September, and that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government's outstanding concerns with the Bill and handling approach since Stage 1;

[Redaction – Section 30(b)(i)]

- ◆ **Agree** that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at **Annex C**) be issued to the Education, Children & Young People Committee (copied to the Member in Charge) by 26 September **[Redaction – Section 30(b)(i)]** that will now be progressed by the Scottish Government;
- ◆ **Agree** that the Minister for Children, Young People & The Promise should make a statement to Parliament **[Redaction – Section 30(b)(i)]**

Priority

26. **Routine.** Responses are requested by **close on Friday 12 September 2025.**

Background

27. Liz Smith MSP introduced this Member's Bill on 20 June 2024 – **Annex A** summarises the main intent of the Bill and a focus of the provisions. The Education, Children & Young People Committee (lead Committee for scrutiny of the Bill) reported its Stage 1 findings on 4 February 2025, informed by a formal call for evidence process, evidence sessions with key stakeholders and Scottish Ministers, and associated findings from the Finance & Public Administration Committee's scrutiny of the Financial Memorandum. The Education Committee concluded that while it supported the general principles of the Bill, this legislation should only progress if a number of concerns relating to affordability and deliverability of the provisions were addressed.

[Redaction – Section 29(1)(b)]

28. The Bill passed Stage 1 on 27 March with 64 votes for, 1 vote against, 53 abstaining and 10 not voting. Consequently, the Scottish Government has up to 6 months following conclusion of Stage 1 (i.e. by 26 September) to confirm whether or not it intends to lodge a motion for a Financial Resolution or the Bill will fall.

29. Following the conclusion of Stage 1, I have undertaken a number of engagements and related policy development work to better understand the potential implications of this Member's Bill, should it progress; and how best the will of Parliament demonstrated at Stage 1 may be met through alternative policy-based activities, should the Bill fall.

This has included regular engagement with Liz Smith MSP to provide clarity on my expectations for the work that she would lead, as the Member in Charge, to attempt to establish assurance around the following issues relating to the provisions in her Bill:

- **Affordability**, and clarity on total potential costs for delivery
- **Equity of provision**, including deliverability for pupils with complex and/or multiple support needs
- **Workforce** implications

30. I address each of these in turn below, including the steps taken by Liz Smith MSP and outstanding gaps where I feel assurance has yet to be established.

Discussion of progress made by the Member in Charge

31. Since Stage 1, Liz Smith MSP has **[Redaction – Section 30(b)(ii)]** engaged closely with the outdoor education sector – having undertaken a number of visits to outdoor education centres during summer recess – and her commitment to residential outdoor education is clear. **[Redaction – Section 30(b)(ii)]**

32. Most notably, in response to Government's asks, Liz Smith MSP has indicated that she is open to considering amendments to her Bill in a number of areas raised as concerns by me and by the lead Committee, in particular in relation to overall cost. This includes moving from universal funding to targeted funding for pupils in deprived circumstances and those with additional support needs (ASN). Specifically, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for "all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an additional support need" only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.** For context, our own latest estimates of the potential financial costs of the Bill, as introduced, suggest an **annual cost of the Bill ranging from £24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in data on the total costs of residential school trips across different variables.

33. Liz Smith MSP has also indicated an openness to consider changes in commencement of the provisions to reflect a more transitional (phased) approach, which could mitigate higher costs for delivery in the early years of implementation, and would allow time for baseline costs to be established. Nevertheless, this entails a legislative requirement being in place before full costs are understood.

34. **However, despite the efforts demonstrated by Liz Smith MSP and her team, there remain outstanding concerns to be addressed relating to the following:**

- **Affordability**

[Redaction – Section 30(b)(i)]

- **Clarity on total potential costs**

[Redaction – Section 30(b)(i)]

- **Other outstanding deliverability concerns**

35. While the principal focus of any decision around the Financial Resolution must be on questions of affordability and clarity on total potential costs of the legislation, the following wider deliverability concerns remain substantial points for consideration; and may, in certain cases, represent areas of potential additional indirect costs for delivery.

[Redaction – Section 30(b)(i)]

Financial Resolution: Handling Options

36. The handling options are:

OPTION 1:

Lodge a motion for the Financial Resolution and seek amendments at Stage 2

37. Under this option a motion for a Financial Resolution would be lodged and Stage 2 amendments would be used, in so far as they can be, to attempt to address as best as possible the outstanding concerns and/or mitigate the implications. **Annex B** outlines a set of proposals that I have considered with my officials, informed by SGLD and Parliamentary Counsel.

[Redaction – Section 29(1)(a)]

[Redaction – Section 30(b)(i)]

OPTION 2:

Do not lodge motion for Financial Resolution resulting in the Bill falling, but commit to an alternative non-legislative approach

38. This approach aligns [Redaction – Section 29(1)(b)] Government's current position as expressed at Stage 1, where we committed to only doing so if and when assurance on outstanding concerns could be established

[Redaction – Section 30(b)(i)]

[Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(a)]

[Redaction – Section 30(b)(i)]

Preferred Approach & Proposed Next Steps

[Redaction – Section 29(1)(b)]

[Redaction – Section 30(b)(i)]

39. [Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)]

Verity House Agreement Implications

40. [Redaction – Section 29(1)(b)], should the Bill become law it would impose a range of new statutory duties on local authorities. Though the financial obligation of

funding those duties would sit with Scottish Ministers – to provide to education authorities and managers of grant-aided schools – should the Bill be enacted we would need to work closely with COSLA and ADES to plan and prepare for implementation of the provisions. An appropriate level of funding for local authorities would need to be agreed through the Scottish budget process.

41. **[Redaction – Section 30(b)(i)]**, in this context there would still be implications for local authorities around supporting delivery of any alternative non-legislative approach, including a targeted pilot across a cohort of relevant and willing local authorities.

[Redaction – Section 30(b)(ii)] Unfortunately, while I have discussed the Bill and options for an alternative approach with COSLA political leaders, timings for formal agreement by COSLA’s Leadership Board would not coincide with our own internal governance and procedural requirements to confirm a formal Government position on the Bill by 26 September. **[Redaction – Section 30(b)(ii)]** I will ensure early engagement takes place with COSLA following my parliamentary statement.

Legal Considerations

[Redaction – Section 36(1)]

Financial Implications

[Redaction – Section 30(b)(i)]

Other Resource Implications

42. **[Redaction – Section 29(1)(b)]** should the Bill progress to Stage 2, policy officials and legal officials would need to support a range of amendments; and if the Bill became law, significant resources would need to be committed across the Scottish Government and Education Scotland (including the new inspectorate) in the near-term to enable effective implementation.

[Redaction – Section 30(b)(i)]

43. If the Bill were not to progress, and the Government committed to delivering other non-legislative interventions, some of these diverted resource implications would remain (principally relating to the lead policy team and Education Scotland), but to a lesser extent. So far, to meet the demands of shadowing the Bill, a temporary restructure of the Curriculum Policy team has been in place, which would remain to support this. There would also be less pressure on SGLD and PCO to deliver this option.

Stakeholder Engagement

44. The outdoor education sector appears to be broadly supportive of this Bill; however, this sentiment is not shared by key delivery partners. Liz Smith MSP met with COSLA leaders on 12 June to discuss a number of the above concerns around affordability and deliverability of her Bill, on my urging. I similarly met with both Cllr Buchanan and Cllr Hagmann on 6 August. **[Redaction – Section 30(b)(ii)]**. My officials have also been in regular contact with the Association for Directors of Education in Scotland (ADES), **[Redaction – Section 30(b)(ii)]**

45. Specifically, both COSLA and ADES have indicated that similar challenges faced by the Bill would apply in the context of a policy-based pilot but at a smaller scale; **[Redaction – Section 30(b)(ii)]**. **[Redaction – Section 30(b)(i)]**

Opposition Parties & Parliamentary Considerations

46. Setting aside the abstentions at Stage 1, the Bill secured considerable support from other MSPs, with only one vote against its general principles. If a motion for a Financial Resolution was laid and agreed to by Parliament, it is likely that the Bill would have a majority of support in Committee at Stage 2 and in the Chamber at Stage 3. Indeed, it is well known publicly that Liz Smith MSP has made significant compromises in her approach since Stage 1 in discussions with me, and has been engaging other Members to inform these considerations. Sensing that the Government may not lodge a motion for a Financial Resolution, Liz Smith MSP wrote to me most recently on 12 August – copied to the Convenor of the lead Committee – to express strong frustration with Government's handling around her Bill, in particular emphasising that she has taken steps to reduce the costs of the provisions but Government has failed to state what level of cost would in fact be affordable.

47. **[Redaction – Section 30(b)(ii)]**.

48. Another potential consequence of Government's handling around this particular Member's Bill might be that Parliament reviews the appropriateness of the current Standing Orders in relation to Financial Resolutions for non-Government Bills. **[Redaction – Section 30(b)(ii)]** I have now been invited to appear before the Education Committee on 10 September to answer further questions on this Bill and Government's handling following Stage 1.

Presentation Issues

49. Since Stage 1, there has been minimal media coverage on the Bill. However, the Scottish Government has received a co-ordinated campaign of around 50 letters (across 6 schools) from pupils advocating for Ministers to support its progression. We also received a letter from the Association of Heads of Outdoor Education Centres on 24 June outlining their concern **[Redaction – Section 30(b)(ii)]**. Additionally, Liz Smith MSP is now engaging media outlets around her now scheduled Member's Debate on residential outdoor education and her Bill on 9 September.

[Redaction – Section 30(b)(ii)]

50. **[Redaction – Section 29(1)(b)]** I would work with my officials to prepare a robust comms plan and lines to take in advance of any announcement to Parliament, which would seek to foreground and positively promote Government's new policy commitments on residential provision, as well as existing support provided to practitioners through Education Scotland.

Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member’s Bill and not lodge a Financial Resolution at that time;**
- ◆ **Recollect that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;**

[Redaction – Section 29(1)(b)]

- ◆ **Note the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;**
- ◆ **Note that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;**
- ◆ **Note the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, [Redaction – Section 30(b)(i)]**
- ◆ **Note that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member’s Bill from progressing in this way;**
- ◆ **Note the scheduling of a Member’s Debate on residential outdoor education and this Bill (motion lodged by Liz Smith MSP) on 9 September, and that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government’s outstanding concerns with the Bill and handling approach since Stage 1;**

[Redaction – Section 30(b)(i)]

- ◆ **Agree that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at Annex C) be issued to the Education, Children & Young People Committee (copied to the Member in Charge) by 26 September, [Redaction – Section 30(b)(i)] will now be progressed by the Scottish Government;**
- ◆ **Agree that the Minister for Children, Young People & The Promise should make a statement to Parliament outlining the reasons behind the Government’s decision [Redaction – Section 30(b)(i)]**

Copy List	For Action	For Comments	Portfolio Interest	Constituency Interest	General Awareness
Cabinet Secretary for Education & Skills Minister for Children, Young People & The Promise Solicitor General			X X		X

Permanent Secretary
Solicitor to the Scottish Government
Chief Parliamentary Counsel
Legal Secretariat to the Lord Advocate
Andy Bruce, Director of Communications and Ministerial Support
Helen Webster, Head of Cabinet Secretariat
[Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)], Cabinet Secretariat
Inbox
PLU: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction –
Section 38(1)(b)] [Redaction – Section 38(1)(b)]
[Redaction – Section 38(1)(b)], REUL Co-ordinator
SGLD Legislation co-ordinators: [Redaction – Section 38(1)(b)] [Redaction –
Section 38(1)(b)] [Redaction – Section 38(1)(b)]
Finance Business Partner Division: [Redaction – Section 38(1)(b)] [Redaction –
Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]
DG Education and Justice
Clare Hicks, Director, Educational Reform
Graeme Logan, Director, Learning
Lewis Hedge, Deputy Director, Curriculum & Qualifications Division
Lisa Bird, Deputy Director, Education Reform
Alison Taylor, Deputy Director, Improvement Attainment & Wellbeing
[Redaction – Section 38(1)(b)] (SGLD)
SGLD School Education
[Redaction – Section 38(1)(b)] (SGLD)
[Redaction – Section 38(1)(b)] (SGLD)
Jonathan Brown (PCO)
[Redaction – Section 38(1)(b)] (PCO)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery)
[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery,
Finance)
[Redaction – Section 38(1)(b)] (EAS)
[Redaction – Section 38(1)(b)] (EAS)
Gillian Hamilton (Interim Chief Executive, Education Scotland)
Ollie Bray (Strategic Director, Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
Janie McManus (Interim Chief Inspector, HMIE)

Kate Higgens (Special Advisor)
Jeanette Campbell (Special Advisor)
DL SpAds Admin

SUMMARY OF PROVISIONS

3. The Bill aims to ensure universal provision and access to “one course” of residential outdoor education for all pupils.
4. To achieve this, the Bill proposes new statutory duties on:
 - ◆ Education authorities, in relation to management of public schools, and Managers of grant-aided schools to provide or secure at least four nights and five days of residential outdoor education to their pupils;
 - ◆ Scottish Ministers, to prepare and publish guidance to Education authorities and Managers of grant-aided schools about the duties to be imposed by the Bill (including any engagement with inspections), which Education authorities and Managers of grant-aided schools must have regard to in exercising those duties.
 - ◆ Scottish Ministers, to pay a “sufficient amount” to Education authorities and Managers of grant-aided schools to carry out their new statutory duties in respect of residential outdoor education as provided for by the Bill. Effectively, the course of residential outdoor education should be free of charge to pupils and fully funded by Scottish Ministers.

ANNEX B

OUT OF SCOPE

[Redaction – Section 29(1)(a)]

ANNEX C

OUT OF SCOPE

[DRAFT LETTER] ANNEX B

[Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(a)]

Attachment 17: Schools (Residential Outdoor Education) (Scotland) Bill - Agreement to Scottish Government Position on the FR

[Redaction – Section 29(1)(b)]

From: Minister for Children, Young People & The Promise

Issue Date

[Redaction – Section 29(1)(b)]

[Redaction – Section 29(1)(b)] **SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION)
(SCOTLAND) BILL: AGREEMENT TO SCOTTISH GOVERNMENT POSITION ON
THE FINANCIAL RESOLUTION** [Redaction – Section 29(1)(b)]

Purpose and Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect** the decision [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member's Bill and not lodge a Financial Resolution at that time;
- ◆ **Recollect** that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;

[Redaction – Section 29(1)(b)]

- ◆ **Note** the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;
- ◆ **Note** that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted

subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;

- ◆ **Note** the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, **[Redaction – Section 30(b)(i)]**
- ◆ **Note** that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member's Bill from progressing in this way;
- ◆ **Note** the scheduling of a Member's Debate on residential outdoor education and this Bill (motion lodged by Liz Smith MSP) on 9 September, and that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government's outstanding concerns with the Bill and handling approach since Stage 1;

[Redaction – Section 30(b)(i)]

- ◆ **Agree** that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at **Annex C**) be issued to the Education, Children & Young People Committee (copied to the Member in Charge) by 26 September **[Redaction – Section 30(b)(i)]** that will now be progressed by the Scottish Government;
- ◆ **Agree** that the Minister for Children, Young People & The Promise should make a statement to Parliament **[Redaction – Section 30(b)(i)]**

Priority

51. **Routine.** Responses are requested by **close on Friday 12 September 2025.**

Background

52. Liz Smith MSP introduced this Member's Bill on 20 June 2024 – **Annex A** summarises the main intent of the Bill and a focus of the provisions. The Education, Children & Young People Committee (lead Committee for scrutiny of the Bill) reported its Stage 1 findings on 4 February 2025, informed by a formal call for evidence process, evidence sessions with key stakeholders and Scottish Ministers, and associated findings from the Finance & Public Administration Committee's scrutiny of the Financial Memorandum. The Education Committee concluded that while it supported the general principles of the Bill, this legislation should only progress if a number of concerns relating to affordability and deliverability of the provisions were addressed.

[Redaction – Section 29(1)(b)]

53. The Bill passed Stage 1 on 27 March with 64 votes for, 1 vote against, 53 abstaining and 10 not voting. Consequently, the Scottish Government has up to 6

months following conclusion of Stage 1 (i.e. by 26 September) to confirm whether or not it intends to lodge a motion for a Financial Resolution or the Bill will fall.

54. Following the conclusion of Stage 1, I have undertaken a number of engagements and related policy development work to better understand the potential implications of this Member's Bill, should it progress; and how best the will of Parliament demonstrated at Stage 1 may be met through alternative policy-based activities, should the Bill fall. This has included regular engagement with Liz Smith MSP to provide clarity on my expectations for the work that she would lead, as the Member in Charge, to attempt to establish assurance around the following issues relating to the provisions in her Bill:

- **Affordability**, and clarity on total potential costs for delivery
- **Equity of provision**, including deliverability for pupils with complex and/or multiple support needs
- **Workforce** implications

55. I address each of these in turn below, including the steps taken by Liz Smith MSP and outstanding gaps where I feel assurance has yet to be established.

Discussion of progress made by the Member in Charge

56. Since Stage 1, Liz Smith MSP has **[Redaction – Section 30(b)(ii)]** engaged closely with the outdoor education sector – having undertaken a number of visits to outdoor education centres during summer recess – and her commitment to residential outdoor education is clear. **[Redaction – Section 30(b)(ii)]**

57. Most notably, in response to Government's asks, Liz Smith MSP has indicated that she is open to considering amendments to her Bill in a number of areas raised as concerns by me and by the lead Committee, in particular in relation to overall cost. This includes moving from universal funding to targeted funding for pupils in deprived circumstances and those with additional support needs (ASN). Specifically, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for "all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an additional support need" only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.** For context, our own latest estimates of the potential financial costs of the Bill, as introduced, suggest an **annual cost of the Bill ranging from £24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in data on the total costs of residential school trips across different variables.

58. Liz Smith MSP has also indicated an openness to consider changes in commencement of the provisions to reflect a more transitional (phased) approach, which could mitigate higher costs for delivery in the early years of implementation, and would allow time for baseline costs to be established. Nevertheless, this entails a legislative requirement being in place before full costs are understood.

59. **However, despite the efforts demonstrated by Liz Smith MSP and her team, there remain outstanding concerns to be addressed relating to the following:**

- **Affordability**

[Redaction – Section 30(b)(i)]

- *Clarity on total potential costs*

[Redaction – Section 30(b)(i)]

- **Other outstanding deliverability concerns**

60. While the principal focus of any decision around the Financial Resolution must be on questions of affordability and clarity on total potential costs of the legislation, the following wider deliverability concerns remain substantial points for consideration; and may, in certain cases, represent areas of potential additional indirect costs for delivery.

[Redaction – Section 30(b)(i)]

Financial Resolution: Handling Options

61. The handling options are:

OPTION 1:

Lodge a motion for the Financial Resolution and seek amendments at Stage 2

62. Under this option a motion for a Financial Resolution would be lodged and Stage 2 amendments would be used, in so far as they can be, to attempt to address as best as possible the outstanding concerns and/or mitigate the implications. **Annex B** outlines a set of proposals that I have considered with my officials, informed by SGLD and Parliamentary Counsel.

[Redaction – Section 29(1)(a)]

[Redaction – Section 30(b)(i)]

OPTION 2:

Do not lodge motion for Financial Resolution resulting in the Bill falling, but commit to an alternative non-legislative approach

63. This approach aligns [Redaction – Section 29(1)(b)] Government's current position as expressed at Stage 1, where we committed to only doing so if and when assurance on outstanding concerns could be established

[Redaction – Section 30(b)(i)]

- *An alternative non-legislative approach*

64. To mitigate the risks of allowing the Bill to fall, and recognising the will of Parliament at Stage 1, we can instead put in place a more discrete, manageable policy-based (non-legislative) approach. [Redaction – Section 30(b)(ii)] As such, in parallel to my engagements with Liz Smith MSP following Stage 1, I have also worked with my officials to develop a route-map for a policy-based (non-legislative) approach to improving equity in provision and access to residential outdoor education. I have undertaken this work at pace during summer recess as an option in the event that the Member in Charge was unable to provide all the assurances required to lodge a motion for a Financial Resolution.

[Redaction – Section 29(1)(a)]

65. These policy activities and ambitions could be presented in the form of a “route map” for delivery in September 2025.

66. Of course, this alternative approach to the Bill would still incur a cost to deliver, albeit at a substantially reduced level at the point of implementation versus if the Bill became law. For reference, initial illustrative modelling of delivery of a **targeted pilot programme across 8 relevant local authorities produces an indicative cost estimate of between £4.46 million and £5.86 million (estimates using 2027/28 price levels)**. The extent to which any pilot programme would be extended to national roll out in future years (which would mean higher costs over time) would need to be considered in this context. I set out the potential financial implications in more detail later in this paper.

Preferred Approach & Proposed Next Steps

[Redaction – Section 29(1)(b)]

[Redaction – Section 30(b)(i)]

67. **[Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)]**

Verity House Agreement Implications

68. **[Redaction – Section 29(1)(b)]**, should the Bill become law it would impose a range of new statutory duties on local authorities. Though the financial obligation of funding those duties would sit with Scottish Ministers – to provide to education authorities and managers of grant-aided schools – should the Bill be enacted we would need to work closely with COSLA and ADES to plan and prepare for implementation of the provisions. An appropriate level of funding for local authorities would need to be agreed through the Scottish budget process.

69. **[Redaction – Section 30(b)(i)]**, in this context there would still be implications for local authorities around supporting delivery of any alternative non-legislative approach, including a targeted pilot across a cohort of relevant and willing local authorities.

[Redaction – Section 30(b)(ii)] Unfortunately, while I have discussed the Bill and options for an alternative approach with COSLA political leaders, timings for formal agreement by COSLA’s Leadership Board would not coincide with our own internal governance and procedural requirements to confirm a formal Government position on the Bill by 26 September. **[Redaction – Section 30(b)(ii)]** I will ensure early engagement takes place with COSLA following my parliamentary statement.

Legal Considerations

[Redaction – Section 36(1)]

Financial Implications

[Redaction – Section 30(b)(i)]

Other Resource Implications

70. **[Redaction – Section 29(1)(b)]** should the Bill progress to Stage 2, policy officials and legal officials would need to support a range of amendments; and if the Bill became law, significant resources would need to be committed across the Scottish Government and Education Scotland (including the new inspectorate) in the near-term to enable effective implementation.

[Redaction – Section 30(b)(i)]

71. If the Bill were not to progress, and the Government committed to delivering other non-legislative interventions, some of these diverted resource implications would remain (principally relating to the lead policy team and Education Scotland), but to a lesser extent. So far, to meet the demands of shadowing the Bill, a temporary restructure of the Curriculum Policy team has been in place, which would remain to support this. There would also be less pressure on SGLD and PCO to deliver this option.

Stakeholder Engagement

72. The outdoor education sector appears to be broadly supportive of this Bill; however, this sentiment is not shared by key delivery partners. Liz Smith MSP met with COSLA leaders on 12 June to discuss a number of the above concerns around affordability and deliverability of her Bill, on my urging. I similarly met with both Cllr Buchanan and Cllr Hagmann on 6 August. **[Redaction – Section 30(b)(ii)]**. My officials have also been in regular contact with the Association for Directors of Education in Scotland (ADES), **[Redaction – Section 30(b)(ii)]**

73. Specifically, both COSLA and ADES have indicated that similar challenges faced by the Bill would apply in the context of a policy-based pilot but at a smaller scale; **[Redaction – Section 30(b)(ii)]**. **[Redaction – Section 30(b)(i)]**

Opposition Parties & Parliamentary Considerations

74. Setting aside the abstentions at Stage 1, the Bill secured considerable support from other MSPs, with only one vote against its general principles. If a motion for a Financial Resolution was laid and agreed to by Parliament, it is likely that the Bill would have a majority of support in Committee at Stage 2 and in the Chamber at Stage 3. Indeed, it is well known publicly that Liz Smith MSP has made significant compromises in her approach since Stage 1 in discussions with me, and has been engaging other Members to inform these considerations. Sensing that the Government may not lodge a motion for a Financial Resolution, Liz Smith MSP wrote to me most recently on 12 August – copied to the Convenor of the lead Committee – to express strong frustration with Government's handling around her Bill, in particular emphasising that she has taken steps to reduce the costs of the provisions but Government has failed to state what level of cost would in fact be affordable.

75. In an effort to gauge potential opposition parties' support for a policy-based (non-legislative) approach as an alternative to the Bill, I have met with both Ross Greer MSP (Scottish Green Party) and Willie Rennie MSP (Scottish Liberal Democrats) to discuss options. **[Redaction – Section 30(b)(ii)]**. I am meeting individually with both Members again on 9 and 11 of September to provide greater clarity around the proposed "route map" approach that has been developed, and seek their support for this approach. I also

intend to more generally discuss the Bill with Pam Duncan-Glancy MSP on 9 September.

76. Another potential consequence of Government's handling around this particular Member's Bill might be that Parliament reviews the appropriateness of the current Standing Orders in relation to Financial Resolutions for non-Government Bills.

[Redaction – Section 30(b)(ii)] I have now been invited to appear before the Education Committee on 10 September to answer further questions on this Bill and Government's handling following Stage 1.

Presentation Issues

77. Since Stage 1, there has been minimal media coverage on the Bill. However, the Scottish Government has received a co-ordinated campaign of around 50 letters (across 6 schools) from pupils advocating for Ministers to support its progression. We also received a letter from the Association of Heads of Outdoor Education Centres on 24 June outlining their concern **[Redaction – Section 30(b)(ii)]**. Additionally, Liz Smith MSP is now engaging media outlets around her now scheduled Member's Debate on residential outdoor education and her Bill on 9 September.

[Redaction – Section 30(b)(ii)]

78. **[Redaction – Section 29(1)(b)]** I would work with my officials to prepare a robust comms plan and lines to take in advance of any announcement to Parliament, which would seek to foreground and positively promote Government's new policy commitments on residential provision, as well as existing support provided to practitioners through Education Scotland.

Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member's Bill and not lodge a Financial Resolution at that time;**
- ◆ **Recollect that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;**

[Redaction – Section 29(1)(b)]

- ◆ **Note the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;**
- ◆ **Note that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;**

- ◆ **Note** the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, [Redaction – Section 30(b)(i)]
- ◆ **Note** that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member’s Bill from progressing in this way;
- ◆ **Note** the scheduling of a Member’s Debate on residential outdoor education and this Bill (motion lodged by Liz Smith MSP) on 9 September, and that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government’s outstanding concerns with the Bill and handling approach since Stage 1;

[Redaction – Section 30(b)(i)]

- ◆ **Agree** that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at Annex C) be issued to the Education, Children & Young People Committee (copied to the Member in Charge) by 26 September, [Redaction – Section 30(b)(i)] will now be progressed by the Scottish Government;
- ◆ **Agree** that the Minister for Children, Young People & The Promise should make a statement to Parliament outlining the reasons behind the Government’s decision [Redaction – Section 30(b)(i)]

ND
August 2025

Copy List	For Action	For Comments	Portfolio Interest	Constituency Interest	General Awareness
Cabinet Secretary for Education & Skills			X		
Minister for Children, Young People & The Promise			X		
Solicitor General					X

Permanent Secretary
 Solicitor to the Scottish Government
 Chief Parliamentary Counsel
 Legal Secretariat to the Lord Advocate
 Andy Bruce, Director of Communications and Ministerial Support
 Helen Webster, Head of Cabinet Secretariat
[Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)], Cabinet Secretariat
 Inbox

PLU: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]
[Redaction – Section 38(1)(b)], REUL Co-ordinator
SGLD Legislation co-ordinators: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]
Finance Business Partner Division: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]
DG Education and Justice
Clare Hicks, Director, Educational Reform
Graeme Logan, Director, Learning
Lewis Hedge, Deputy Director, Curriculum & Qualifications Division
Lisa Bird, Deputy Director, Education Reform
Alison Taylor, Deputy Director, Improvement Attainment & Wellbeing
[Redaction – Section 38(1)(b)] (SGLD)
SGLD School Education
[Redaction – Section 38(1)(b)] (SGLD)
[Redaction – Section 38(1)(b)] (SGLD)
Jonathan Brown (PCO)
[Redaction – Section 38(1)(b)] (PCO)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Curriculum Development)
[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery)
[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery, Finance)
[Redaction – Section 38(1)(b)] (EAS)
[Redaction – Section 38(1)(b)] (EAS)
Gillian Hamilton (Interim Chief Executive, Education Scotland)
Ollie Bray (Strategic Director, Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
[Redaction – Section 38(1)(b)] (Education Scotland)
Janie McManus (Interim Chief Inspector, HMle)
Kate Higgins (Special Advisor)
Jeanette Campbell (Special Advisor)
DL SpAds Admin

SUMMARY OF PROVISIONS

5. The Bill aims to ensure universal provision and access to “one course” of residential outdoor education for all pupils.
6. To achieve this, the Bill proposes new statutory duties on:
- ◆ Education authorities, in relation to management of public schools, and Managers of grant-aided schools to provide or secure at least four nights and five days of residential outdoor education to their pupils;
 - ◆ Scottish Ministers, to prepare and publish guidance to Education authorities and Managers of grant-aided schools about the duties to be imposed by the Bill (including any engagement with inspections), which Education authorities and Managers of grant-aided schools must have regard to in exercising those duties.
 - ◆ Scottish Ministers, to pay a “sufficient amount” to Education authorities and Managers of grant-aided schools to carry out their new statutory duties in respect of residential outdoor education as provided for by the Bill. Effectively, the course of residential outdoor education should be free of charge to pupils and fully funded by Scottish Ministers.

ANNEX B

PROPOSALS FOR POTENTIAL STAGE 2 AMENDMENTS

OUT OF SCOPE

[Redaction – Section 29(1)(a)]

ANNEX C

OUT OF SCOPE

[DRAFT LETTER] ANNEX B

OUT OF SCOPE

ANNEX A

MEMBERS DEBATE: MOTION

- **Submitted by: Liz Smith, Mid Scotland and Fife, Scottish Conservative and Unionist Party.**
- **Date lodged: Friday, 22 August 2025**
- **Motion reference: S6M-18576**
- **Current status: Due to be taken in the Chamber on Tuesday, 09 September 2025**

That the Parliament recognises what it sees as the outstanding contribution of Scotland’s residential outdoor education centres, including PGL Dalguise in the Mid Scotland and Fife region, in developing key life skills for young people, including confidence, independence, teamwork and resilience; considers that the will of the Parliament has been expressed on the Schools (Residential Outdoor Education) (Scotland) Bill, with a majority of MSPs, including those representing all political parties, agreeing to the general principles at stage 1 on 27 March 2025; notes that the Scottish Government must lodge a financial resolution by 26 September 2025 or the Bill falls; further notes that the Member in Charge of the Bill has produced a series of policy proposals and associated costings for consideration by the Scottish Government that, it believes, would mean the Bill would cost significantly less; understands that the Scottish Government is yet to provide a view on any of these policy proposals and that it is yet to identify at what level of cost it considers the Bill would become "affordable" to enable a financial resolution to be lodged; further understands that the Scottish Government has not produced financial modelling with associated draft amendments on any proposals on affordability despite what it considers a commitment from the Minister for Children, Young People and The Promise when appearing before the Education, Children and Young People Committee to share draft amendments with the Member in Charge by the start of July 2025; notes the calls by members from all political parties, the outdoor education sector, and children and young people from across Scotland for the Bill to proceed to stage 2 for further scrutiny, and further notes the associated calls for a financial resolution to be lodged.

Supported by:

Jeremy Balfour, Miles Briggs, Ariane Burgess, Alexander Burnett, Jackson Carlaw, Finlay Carson, Sharon Dowey, Pam Duncan-Glancy, Tim Eagle, Annabelle Ewing, Fergus Ewing, Russell Findlay, Murdo Fraser, Meghan Gallacher, Maurice Golden, Dr Pam Gosal MBE, Jamie Greene, Ross Greer, Dr Sandesh Gulhane, Jamie Halcro Johnston, Rachael Hamilton, Craig Hoy, Liam Kerr, Stephen Kerr, Douglas Lumsden, Michael Marra, Roz McCall, Edward Mountain, Oliver Mundell, Douglas Ross, Graham Simpson, Alexander Stewart, Sue Webber, Annie Wells, Tess White, Martin Whitfield, Brian Whittle

OUT OF SCOPE

POTENTIAL Q&A

WILL GOVERNMENT LODGE A MOTION FOR A FINANCIAL RESOLUTION?

- This matter is subject to on-going consideration.
- Government will confirm its position by 26 September.
- The work that the Member in Charge has undertaken over recent months and shared with me – as well as me and my officials’ engagement with COSLA, teacher trade unions, ADES and the sector – will be used to inform this.

WHEN WILL CABINET OR [Redaction – Section 30(b)(i)] MEET TO DECIDE?

- Handling of the Financial Resolution for this Bill is a matter that is subject to on-going consideration and collective decision-making within Government.
- This will be taken forward in time to ensure Government can confirm its position by 26th September.

OUT OF SCOPE

FINANCIAL CONCERNS: AFFORDABILITY & CLARITY ON COSTS

KEY ISSUES

AFFORDABILITY

- In her letter dated 31 July, Liz Smith MSP details **revised cost modelling** for targeted provision across all primary children [P6 or P7] in receipt of the Scottish Child Payment and/or pupils with Additional Support Needs (ASN). This produces a cost range of between **£15,289,000 to £16,832,000** (adjusted for inflation for delivery from 2027/28).
- In her letter dated 12 August, Liz Smith MSP criticises Government for not having yet set out **what an “affordable” level of costs is for her Bill**.
- At Stage 1, you stated that Government would only bring forward a motion for a Financial Resolution “if and when” affordability of the provisions can be assured. Committee may press for clarity on what this means in practice.
- **[Redaction – Section 30(b)(i)]**
- Note: During the Stage 1 debate, Miles Briggs MSP argued the Bill was a form of preventative spend.

CLARITY ON TOTAL COSTS

- It remains **unclear what the total potential costs of the Bill are**, whether in an amended targeted form or as introduced, in particular as relate to transport, provision for pupils with ASN, and staffing.
- There are limitations around the extent to which some costs can be fully and robustly modelled due to sparsity of nationally representative data held at the school level, and complexities involved (e.g. how the need for staff cover or service adjustments for pupils with complex needs are very context specific).
- Enabling the Bill to proceed would **risk exposing Ministers to an unknown future potential cost** that may exceed existing estimates.

The Bill is unaffordable as introduced, and even in a targeted form would require significant adjustments to be made within the future Education & Skills portfolio budget that would impact on deliverability of Government priorities and activities.

- Liz Smith has not indicated where she sees this additional funding being drawn from and what important existing policy ambitions and delivery activities should be impacted to accommodate provision of her Bill.

There remains a lack of clarity around the full potential costs of the Bill.

- In part, this is due to limited data available relating to transport and costs to support pupils with additional support needs.
- Total potential costs are also dependent on the staffing implications being fully understood and I – like COSLA – remain unconvinced by Liz Smith’s assumption that the current reliance on teachers’ voluntary participation being robust at scale in the presence of a legislative requirement.
- Enabling the Bill to progress in such a scenario would risk the Government being exposed to an unknown future recurring budget pressure that could exceed existing estimates.

POTENTIAL Q&A

WHAT LEVEL IS AFFORDABLE?

- Clearly, introducing new duties to fund in the current financial context forces difficult choices about what to defund in order to accommodate new expenditure.
- Liz Smith has not offered any suggestions about what in Education should be stopped in preference for residential outdoor Education when Ministers bring forward a budget for this Parliament’s consideration.
- This difficulty is compounded by the fact that the total potential costs of the provisions remain unclear, due to outstanding gaps in the data available and assumptions underpinning the proposed delivery approach.
- I have discussed these concerns with the Member in Charge.

WHY HAS GOVERNMENT NOT DONE WORK TO ESTIMATE COSTS?

- Despite this not being a government-supported Bill I did ask officials to do some work to aid our assessment, which I also shared with Liz Smith.
- As early as Spring, Government worked with the sector to better understand deliverability of the Bill based on current capacity. This provided early insights on potential capital investment requirements of some centres that may align with improving quality of provision.
- Working with Education Scotland, we have also engaged the National Complex Needs Network on the Bill, with insights suggesting that effective provision of residential for some pupils with severe disabilities can, in some cases, exceed £1000 per pupil.
- In May I then shared with Liz Smith the Government’s analysis, and caveats, that informed our revised higher cost estimates for delivery of the Bill, as introduced.
- Following receipt in July, I have considered, in detail, the further cost modelling for a targeted approach produced by Liz Smith and shared Government’s early estimates for a similarly targeted pilot approach.
- However our understanding of total costs remains limited and so an early pilot programme as part of a transitional (or phased) approach to delivery could help address some of the existing data gaps, building a more robust and accurate understanding of overall costs.

WHAT IS GOVERNMENT DOING TO IMPROVE DATA ON PROVISION?

- The issue of a lack of robust and consistent data on current levels and forms of provision of residential outdoor education across Scotland is an important point to be addressed, which I welcome scrutiny of this Bill having helped to highlight.
- Of course, local authorities are responsible for running schools and individual schools and teachers make decisions on the residential outdoor learning experiences that they offer to pupils.
- So data collection and monitoring and evaluation requires a system-wide approach.
- Good practice approaches and insights on provision of outdoor learning, including residential, are already available through various channels.
- For example, through Education Scotland’s on-going work to support practitioners to access new case studies and wider resources on Learning for Sustainability, our report on PEF delivery that published in May, and thematic inspections by HMIE, such as that published in 2022 on outdoor learning.
- I set out considerations around use of data systems such as EVOLVE to help gather data on residential in my letter to Committee on 13 December.

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- This includes, for example, any annual costs that local authorities would need to pay to access and use the system, software adaptability to provide desired functionality for schools, and potential impacts on teacher engagement in provision of residential associated with a new data input requirement.
- Any activity to improve data gathering would also need to take account of any approach to inspection of outdoor education that may be set out by the His Majesty’s Chief Inspector of Education in Scotland as part of their inspection plan, as per the Education (Scotland) Act.

GOVERNMENT WORK TO ASSESS SECTOR CAPACITY?

- Government shares Members’ concerns that capacity of the sector to respond to the demands of this Bill is unclear. I understand that COSLA are of a similar view at present. And I have previously discussed capacity with AHOEC, The Outward Bound Trust and, indeed, with Liz Smith.
- Earlier this year we undertook an initial sectoral analysis, supported by the Association of the Heads of Outdoor Education Centres (AHOEC), to develop indicative insights into current sectoral readiness, if the Bill progressed. I highlighted this at the Stage 1 debate.
- There is some evidence from this initial work that the overall number of beds, or capacity, has reduced across some centres that participated in the survey and I remain concerned that there is currently very limited capacity to host pupils with complex and/or multiple support needs.
- I should also note that in correspondence to me Liz Smith relayed the view of the sector that, rather than capacity, the issue holding back participating is the willingness of young people, or that of their parents, to take part due to things like anxiety. I am not convinced that legislating resolves this particular issue.

.....
BACKGROUND BRIEFING

AFFORDABILITY

SG estimates of the potential financial costs of the Bill, as introduced, suggest an annual cost of the Bill ranging from **£24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in cost variables.

As of 31 July, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for “all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an additional support need” only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.**

CLARITY ON TOTAL POTENTIAL COSTS

[Redaction – Section 29(1)(a)]

Stakeholder Views on Voluntary Teacher Participation:

- (c) **TEACHER TRADE UNIONS:** At Stage 1, evidence was submitted to the Education Committee by: EIS, AHDS and NASUWT. All three unions raised concerns with the legislative approach:

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- NASUWT specifically indicated that their advice to “teacher members is that they should always be advised not to participate in visits and journeys that are non-contractual [...]”.
- AHDS stated “prioritising expenditure on these [residential] trips before core spend would risk diminishing the necessary goodwill from staff to enable these trips happen.”

Feedback at your meeting on 25 August with representatives of the 5 main professional associations further emphasised these points. **[Redaction – Section 30(b)(ii)]**

- (d) **COSLA: [Redaction – Section 30(b)(ii)]** Liz Smith MSP recognised that COSLA remains concerned about potential workforce implications, but emphasised that evidence to the lead Committee during Stage 1 suggested teachers are keen to provide residentially voluntarily and so she does not share COSLA’s concerns. **[Redaction – Section 30(b)(i)]**

5) Support pupils with complex and/or multiple support needs

- Liz Smith MSP has assumed up to £1.5 million additional finance to support between 212-225 pupils with complex and/or multiple support needs across P6-P7 within her revised cost modelling for a targeted approach.
- **[Redaction – Section 30(b)(ii)]** the assumption around the number of pupils across which it would be divided is based solely on pupils attending Special Schools. Not all pupils with complex and/or multiple support needs will attend a Special School and relevant data currently collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits. **[Redaction – Section 30(b)(i)]**

6) Other potential ancillary costs

- The Financial Memorandum does not include other associated costs to deliver the Bill such as: insurance, spare clothing, training and admin costs.
- It also does not include potential capital costs to upgrade or retrofit existing outdoor education centres to ensure the facilities are of sufficient quality and capacity to provide the level of provision required.
- In her letter dated 31 July, Liz Smith MSP acknowledges that some outdoor education centres are in “much need of capital upgrades”, such as Adroy and Broomlee. The Member refers to potential opportunities for “formal collaboration between the public and private sectors” around infrastructure provision.
- You indicated at Committee (27 November 2024) that you have discussed with Liz Smith MSP “non-legislative options such as securing private investment to aid with reinvestment and capital building works”.

- **OUT OF SCOPE**

TIMELINE OF ACTIVITIES FOLLOWING STAGE 1

[OUT OF SCOPE]

OUT OF SCOPE

Attachment 18: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Ministerial Meeting w-Willie Rennie MSP 9-9 - Briefing - submitted 6 Sept

What	Meeting with Willie Rennie MSP to discuss the Schools (Residential Outdoor Education) (Scotland) Bill and Non-Legislative Approach
When	9 September 2025, 16:30 – 17:00
Where	Virtual – MS Teams Meeting
Who	<ul style="list-style-type: none"> Willie Rennie. Scottish Liberal Democrats, MSP for North East Fife (Constituency)
Why	<ul style="list-style-type: none"> You previously met with Mr Rennie on 4 June to discuss the ROE Bill and potential non-legislative alternative approaches. [Redaction – Section 30(b)(ii)] [Redaction – Section 29(1)(b)]
Key messages	<ul style="list-style-type: none"> OUT OF SCOPE [Redaction – Section 29(1)(a)] I am keen to discuss this with you. Government will confirm its position on the Financial Resolution by 26 September at the latest.
Official support	<p>[Redaction – Section 38(1)(b)], Team Leader LfS & Outdoor Learning [Redaction – Section 38(1)(b)]@gov.scot [Redaction – Section 38(1)(b)], Senior Policy Manager LfS & Outdoor Learning [Redaction – Section 38(1)(b)]@gov.scot</p>
Agenda	OUT OF SCOPE
Main objective	OUT OF SCOPE
Briefing contents	<p>Biography: Willie Rennie MSP Item 1: Update on Developments June-August 2025 Item 2: Policy-Based “Route Map” Approach Annex A: Timeline of Activities Following Stage 1 Annex B: Outline of Policy-Based Route Map</p>

BIOGRAPHY: WILLIE RENNIE MSP

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Scottish Liberal Democrats

- **MSP for North East Fife (Constituency) 2016 - present day**
- **Former MSP for Mid Scotland and Fife (Region) 2011 - 2016**

Mr Rennie is a Member of the Education, Children & Young People Committee, and is the Scottish Liberal Democrats spokesperson for Education, Economy and Communities.

Between 2011-21, Mr Rennie was Party Leader for the Scottish Liberal Democrats, and has held a number of other spokesperson roles within his party as well as being a member, or substitute member of various Parliamentary Committees.

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ITEM 1	Update on Developments June-August 2025 [Redaction – Section 30(b)(i)]
Issue/ background	<p><u>Ministerial / Government Activity</u> (see Annex A for timeline)</p> <p>OUT OF SCOPE</p> <p><u>Key outstanding concerns</u> not yet addressed by Liz Smith MSP:</p> <p>(1) Affordability & Clarity of Costs [Redaction – Section 29(1)(a)]</p> <p>In her letter dated 31 July, Liz Smith MSP details revised cost modelling for targeted provision across all primary children [P6 or P7] in receipt of the Scottish Child Payment and/or pupils with Additional Support Needs (ASN). This produces a cost range of between £15,289,000 to £16,832,000 (adjusted for inflation for delivery from 2027/28). There are limitations around the extent to which some costs can be fully and robustly modelled due to sparsity of nationally representative data held at the school level, and complexities involved (e.g. how the need for staff cover or service adjustments for pupils with complex needs are very context specific).</p> <p>OUT OF SCOPE</p>
Key message(s)	<ul style="list-style-type: none"> • This is a Member’s Bill, not a government-supported Bill. It is appropriate that the Member in Charge should lead work to address outstanding concerns identified by Government, and the Education Committee around affordability and deliverability. • I have engaged Liz Smith MSP around these issues on numerous occasions following Stage 1, and have provided her with information where she has requested it. • Since you and I last met I have also engaged delivery partners, including COSLA and teacher trade unions, to better understand potential implications. [Redaction – Section 30(b)(ii)] • Liz Smith has not yet established assurance on key issues.
Suggested question(s)	<ul style="list-style-type: none"> • Have you had any engagement with Liz Smith MSP on her Bill?
Contact point	<p>[Redaction – Section 38(1)(b)](Team Leader, LfS & Outdoor Learning)</p> <p>[Redaction – Section 38(1)(b)]@gov.scot</p>

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ITEM 2	[Redaction – Section 30(b)(i)]
Issue/ background	<p><u>Previous Meeting with Willie Rennie (4 June 2025)</u> [Redaction – Section 30(b)(ii)]</p> <p><u>Alternative Policy-Based Approach</u> [Redaction – Section 29(1)(a)]</p> <p><u>Sensitivities</u> [Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)]</p> <p>Opposition Members [Redaction – Section 30(b)(ii)]</p>
Key message(s)	<p><u>Targeted Pilot Programme</u></p> <ul style="list-style-type: none"> • Our understanding of total potential costs to improve provision and access to residential outdoor education remains limited, as has been made evident through scrutiny of the Bill. [Redaction – Section 29(1)(a)] <p><u>Assurances</u></p> <ul style="list-style-type: none"> • Government will confirm its position on the Financial Resolution by 26 September. Should we decide not to lodge a motion for a Financial Resolution, to give assurance that Government was fully committed to delivery of the alternative route-map approach. we would formally communicate this plan to Parliament. • As part of this, to ensure appropriate resources were in place to facilitate delivery of this new approach we would commit to prioritising outdoor learning within our budget proposals and negotiations for 2026/27 and beyond.
Suggested question(s)	<ul style="list-style-type: none"> • What are your views on the proposed non-legislative route-map? • Would this approach provide appropriate assurances?
Contact point	<p>[Redaction – Section 38(1)(b)](Team Leader, LfS & Outdoor Learning) [Redaction – Section 38(1)(b)]@gov.scot</p>

TIMELINE OF ACTIVITIES FOLLOWING STAGE 1

OUT OF SCOPE

OUT OF SCOPE

[Redaction – Section 29(1)(a)]

Attachment 19: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Education Committee - Ministerial Appearance 10 Sept - draft briefing V2 - 9 Sept

What	Appearance at the Education, Children & Young People Committee to discuss the Schools (Residential Outdoor Education) (Scotland) Bill
When	10 September, 08:30-09:15
Where	Committee Room 1, Scottish Parliament
Who	Education, Children & Young People Committee
Why	To answer questions on Government’s handling approach to this Member’s Bill following its passing at Stage 1 in March 2025, and Government’s position on the Financial Resolution for the Bill that must be confirmed by 26 September. The Committee’s invitation for you to appear came shortly after your most recent meeting with Liz Smith MSP on 12 August, following which she wrote to express frustration at and criticism of the Government’s approach since Stage 1.
Key messages	<ul style="list-style-type: none"> • Government is committed to supporting outdoor learning, and recognises the unique and important role played by residential outdoor education in a young person’s development. This is reflected in our Learning for Sustainability Action Plan. • The Curriculum Improvement Cycle – led by Education Scotland – is delivering systemic change, ensuring that the place of key themes and contexts for learning including sustainability and outdoor learning are strengthened across the 3-18 curriculum. • I welcome Liz Smith’s leadership in raising awareness of the value and benefit of residential outdoor education for pupils. • Delivering improvements in provision and access is important and we need to get this right to ensure positive outcomes for our children and young people – this means ensuring any new approach is affordable, equitable and deliverable.
Speech details	Ministerial opening remarks – 3 minutes
Official support	Lewis Hedge, Deputy Director Curriculum & Qualifications lewis.hedge@gov.scot [Redaction – Section 38(1)(b)] , Team Leader LfS & OL [Redaction – Section 38(1)(b)]@gov.scot [Redaction – Section 38(1)(b)] , SGLD School Education [Redaction – Section 38(1)(b)]@gov.scot

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Media handling	N/A (Comms will monitor for any external media activity on the day)
Dress code	Formal
Briefing contents	<p><u>Speaking Notes:</u> Opening Statement, 3 minutes (attached separately) Annex A: Committee Members</p> <p><u>Section 1: Key Issues Potential Q&A</u> Annex B: <u>Concerns with Government Handling</u> raised by Liz Smith Annex C: <u>Delivery on ECYP Committee Stage 1 Recommendations</u> Annex D: <u>Financial Concerns: Affordability & Clarity on Costs</u> Annex E: <u>Deliverability Concerns: Equity of Provision</u> Annex F: <u>Deliverability Concerns: Workforce Implications</u></p> <p><u>Section 2: Additional Briefing</u> Annex G: Timeline of Activities Following Stage 1 Annex H: Progress Made by Liz Smith MSP Annex I: Example Pilot Approach Annex J: SG Support for Outdoor Learning & ROE: Top Lines</p>

ANNEX A

ECYP COMMITTEE MEMBERS

Members	Biographies
Douglas Ross MSP	Mr Ross is the Scottish Conservative and Unionist Party MSP for Highlands and Islands (Region) from 2021 to present day. He is the Convener of the Education, Children and Young People Committee.
Evelyn Tweed, MSP	Evelyn Tweed is the Scottish National Party MSP for Stirling (Constituency) from 2021 to present day.
Pam Duncan-Glancy, MSP	Pam Duncan-Glancy is the Scottish Labour MSP for Glasgow (Region) from 2021 to present day.
	She is a member of a number of cross-party groups in the Scottish Parliament, including the cross-party groups on Children and Young People and on Learning Disability.
George Adam, MSP	George Adam is the Scottish National Party MSP for Paisley (Constituency) from 2011 to present day.

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Jackie Dunbar,
MSP

Jackie Dunbar is the Scottish National Party MSP for Aberdeen Donside (Region) from 2021 to present day.

Miles Briggs,
MSP

Miles Briggs is the Scottish Conservative and Unionist Party MSP for Lothian (Region) from 2016 to present day. He is the party Spokesperson on Education and Skills.

Ross Greer,
MSP

Ross Greer, Scottish Green Party MSP for West Scotland (Region) from 2016 to present day. He was recently elected co-leader of his party.

John Mason,
MSP

John Mason is the Independent MSP for Glasgow Shettleston (Constituency). He was former SNP MSP for Glasgow Shettleston from 2011 to 2024.

CONCERNS WITH GOVERNMENT HANDLING RAISED BY LIZ SMITH MSP

KEY ISSUES

- [Out of scope]
- Liz Smith MSP has further raised the point that any **decision by Ministers on whether to lodge a motion for a Financial Resolution should focus on financial issues only**, i.e. affordability and clarity on total costs.
[Redaction – Section 29(1)(b)]
- [Out of scope]
- Note: Government did not lodge a motion for a Financial Resolution ahead of conclusion of Stage 1 for the Period Products (Free Provision) (Scotland) Bill in Session 5 – at the time, Ministers agreed to continue discussions after Stage 1 to seek agreement across political parties on the detail of the Bill, including financial implications, to allow improved cost estimates to be produced – a motion for a Financial Resolution was agreed.
- **[Redaction – Section 30(b)(ii)]**

[Out of scope]

.....
POTENTIAL Q&A

WILL GOVERNMENT LODGE A MOTION FOR A FINANCIAL RESOLUTION?

- This matter is subject to on-going consideration.
- Government will confirm its position by 26 September.
- The work that the Member in Charge has undertaken over recent months and shared with me – as well as my and my officials’ engagement with COSLA, teacher trade unions, ADES and the sector – will be used to inform this.

WHEN WILL CABINET OR [Redaction – Section 30(b)(i)] MEET TO DECIDE?

- Handling of the Financial Resolution for this Bill is a matter that is subject to on-going consideration and collective decision-making within Government.

- This will be taken forward in time to ensure Government can confirm its position by 26th September.

[IF PRESSED]

- I cannot comment further on Ministerial decision-making processes.

DOES GOVERNMENT HAVE A POSITION ON THE MEMBER'S PROPOSALS?

- The Government's position is that proposals in this space must be affordable, support equity particularly for pupils with ASN and, for deliverability, give due consideration to the expectations placed on teachers to organise and take part in residential trips.
- The proposals brought forward by Liz Smith MSP to potentially adopt a transitional (or phased) approach to delivery, alongside potentially targeting funding to support primary school pupils with ASN and those in deprived circumstances, are welcomed and will help to inform this decision. I also value the insights the Member has shared from her engagements with centres.
- However, even in a targeted form, a potential annual recurring cost of between £15.3 million to £16.8 million would require significant adjustments within the Education portfolio budget.
- The Member in Charge has not come forward with any proposals for how she envisions Government accommodating new spend at this level, and what trade-offs should be made within Education.

[Out of Scope]

.....
BACKGROUND BRIEFING

Supporting work on a Member's Bill

[Redaction – Section 30(b)(i)]

DELIVERY ON ECYP COMMITTEE STAGE 1 RECOMMENDATIONS**KEY ISSUES**

- In its Stage 1 Report (published 4 February 2025), the Education Committee set out a number of **recommended actions for Government to undertake ahead of Stage 2**, should the Bill pass the Stage 1 vote. Government's response to the Stage 1 Report was submitted to Committee on 26 March, acknowledging the recommendations.
- **[Redaction – Section 29(1)(a)]**
- Other recommendations include, e.g. exploring how to ensure sector capacity to meet the needs of all pupils, including those with ASN.
- It is **possible Committee may ask for an update on Government's work in response to the recommendations** set out, including how Ministers have worked with the Member in Charge to address key points. **Annex G** summarises activities undertaken since Stage 1.
- Note: During Spring 2025, the Association of Heads of Outdoor Centres (AHOEC) assisted Scottish Government by surveying their members on a number of key evidence gaps related to the Bill. Responses were received from 23 centres.

[Out of scope]

FINANCIAL CONCERNS: AFFORDABILITY & CLARITY ON COSTS**KEY ISSUES*****AFFORDABILITY***

- In her letter dated 31 July, Liz Smith MSP details **revised cost modelling** for targeted provision across all primary children [P6 or P7] in receipt of the Scottish Child Payment and/or pupils with Additional Support Needs (ASN). This produces a cost range of between **£15,289,000 to £16,832,000** (adjusted for inflation for delivery from 2027/28).
- In her letter dated 12 August, Liz Smith MSP criticises Government for not having yet set out **what an “affordable” level of costs is for her Bill**.
- At Stage 1, you stated that Government would only bring forward a motion for a Financial Resolution “if and when” affordability of the provisions can be assured. Committee may press for clarity on what this means in practice.
- **[Redaction – Section 30(b)(i)]** Liz Smith MSP has not identified where this spend should come from within the Scottish budget.

CLARITY ON TOTAL COSTS

- **[Redaction – Section 30(b)(i)]**

The Bill is unaffordable as introduced, and even in a targeted form would require significant adjustments to be made within the future Education & Skills portfolio budget that would impact on deliverability of Government priorities and activities.

- Liz Smith has not indicated where she sees this additional funding being drawn from and what important existing policy ambitions and delivery activities should be impacted to accommodate provision of her Bill.

There remains a lack of clarity around the full potential costs of the Bill.

- In part, this is due to limited data available relating to transport and costs to support pupils with additional support needs.
- For example, the revised targeted cost estimates provided by Liz Smith assume £1.5 million to provide additional support for pupils with complex needs across the number of P7-aged special school pupils, adjusted for uptake rate. But this does not recognise that not all pupils with complex and/or multiple support needs will attend a Special School.
- Total potential costs are also dependent on the staffing implications being fully understood and I – like COSLA – remain unconvinced by Liz Smith’s assumption that the current reliance on teachers’ voluntary participation would be robust at scale in the presence of a legislative requirement.
- The Financial Resolution also does not account for potential capital costs for the sector to respond to the demands of the Bill – indeed, in her own correspondence to me, Liz Smith has remarked that some outdoor centres are in “much need of capital upgrades”.
- Enabling the Bill to progress in such a scenario would risk the Government being exposed to an unknown future recurring budget pressure that could exceed existing estimates.

.....
POTENTIAL Q&A

WHAT LEVEL IS AFFORDABLE?

- Clearly, introducing new duties to fund in the current financial context forces difficult choices about what to defund in order to accommodate new expenditure. Liz Smith has not offered any suggestions about what in Education should be stopped in preference for furthering residential outdoor education when Ministers bring forward a budget for this Parliament’s consideration.
- This difficulty is compounded by the fact that the total potential costs of the provisions due to outstanding gaps in the data available and assumptions underpinning the proposed delivery approach.
- I have discussed these concerns with the Member in Charge.

WHY HAS GOVERNMENT NOT DONE WORK TO ESTIMATE COSTS?

- Despite this not being a government-supported Bill I did ask officials to do some work to aid our assessment, which I also shared with Liz Smith.
- As early as Spring, Government worked with the sector to better understand deliverability of the Bill based on current capacity. This provided early insights on potential capital investment requirements of some centres that may align with improving quality of provision.
- Working with Education Scotland, we have also engaged the National Complex Needs Network on the Bill, with insights suggesting that effective provision of residential for some pupils with severe disabilities can, in some cases, exceed £1000 per pupil.

- In May I shared with Liz Smith the Government's analysis, and caveats, that informed our revised higher cost estimates for delivery of the Bill, as introduced.
- Following receipt in July, I have considered, in detail, the further cost modelling for a targeted approach produced by Liz Smith and shared Government's early estimates for a similarly targeted pilot approach.
- However our understanding of total costs remains limited and so an early pilot programme as part of a transitional (or phased) approach to delivery could help address some of the existing data gaps, building a more robust and accurate understanding of overall costs.

[IF PRESSED]

- As Government highlighted in our Stage 1 Report response on 26 March, the degree to which some costs can be modelled for is complex – for example, the many variables relating to costs to support pupils with complex and/or multiple support needs in different circumstances.
- Significant new data gathering and analysis is needed to better inform financial modelling around the Bill, which takes time. A pilot approach could help with this.

.....

BACKGROUND BRIEFING

AFFORDABILITY

SG estimates of the potential financial costs of the Bill, as introduced, suggest an annual cost of the Bill ranging from **£24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in cost variables.

As of 31 July, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for “all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an additional support need” only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.**

CLARITY ON TOTAL POTENTIAL COSTS

7) Transport

- Both the Financial Memorandum and revised costings provided by the Member in Charge to Government on 31 July are based on a misunderstanding of a table presented on a single coach hire website[Redaction – Section 30(b)(i)]
- There remains a lack of clarity around potential variability of transport costs across different geographic regions, including for rural / remote rural and island based schools, and appropriate modelling to reflect this.

8) Staffing

- The Financial Memorandum accompanying the Bill at introduction assumes that delivery of the provisions would continue to operate on a goodwill, or voluntary basis across teachers in terms of their own participation in residential visits.
- Liz Smith MSP has more recently presented proposals to target provision across P6-P7 pupils – suggesting that this would reduce the number of pupils involved in

residential and hence this would reduce pressures on teachers. But it is unclear how staff costs have been treated in this revised modelling, and it does not appear that Liz Smith MSP has changed her view that delivery could continue to operate on a voluntary basis (zero cost).

[Redaction – Section 30(b)(ii)]

Stakeholder Views on Voluntary Teacher Participation:

- (e) **TEACHER TRADE UNIONS:** At Stage 1, evidence was submitted to the Education Committee by: EIS, AHDS and NASUWT. All three unions raised concerns with the legislative approach:
- NASUWT specifically indicated that their advice to “teacher members is that they should always be advised not to participate in visits and journeys that are non-contractual [...]”.
 - AHDS stated “prioritising expenditure on these [residential] trips before core spend would risk diminishing the necessary goodwill from staff to enable these trips happen.”

Feedback at your meeting on 25 August with representatives of the 5 main professional associations further emphasised these points. **[Redaction – Section 30(b)(ii)]**

- (f) **COSLA:** **[Redaction – Section 30(b)(ii)]** Liz Smith MSP recognised that COSLA remains concerned about potential workforce implications, but emphasised that evidence to the lead Committee during Stage 1 suggested teachers are keen to provide residential voluntarily and so she does not share COSLA’s concerns. **[Redaction – Section 30(b)(i)]**

9) Support pupils with complex and/or multiple support needs

- In her revised targeted approach cost modelling, Liz Smith MSP has assumed up to £1.5 million additional finance spread across 212-225 pupils, based on the number of P7-aged special school pupils as adjusted for uptake rate.
- **[Redaction – Section 30(b)(ii)]** the assumption around the number of pupils across which it would be divided is based solely on pupils attending Special Schools. Not all pupils with complex and/or multiple support needs will attend a Special School and relevant data currently collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits **[Redaction – Section 30(b)(ii)]**. Again, to address these concerns would require substantive data gathering and analysis.

10) Other potential ancillary costs

- The Financial Memorandum does not include other associated costs to deliver the Bill such as: insurance, spare clothing, training and admin costs.
- It also does not include potential capital costs to upgrade or retrofit existing outdoor education centres to ensure the facilities are of sufficient quality and capacity to provide the level of provision required.
- In her letter dated 31 July, Liz Smith MSP acknowledges that some outdoor education centres are in “much need of capital upgrades”, such as Adroy and Broomlee. The Member refers to potential opportunities for “formal collaboration between the public and private sectors” around infrastructure provision.

- You indicated at Committee (27 November 2024) that you have discussed with Liz Smith MSP “non-legislative options such as securing private investment to aid with reinvestment and capital building works”.

ANNEX E

[OUT OF SCOPE]

**ANNEX G
TIMELINE OF ACTIVITIES FOLLOWING STAGE 1**

[OUT OF SCOPE]

ANNEX H

PROGRESS MADE BY LIZ SMITH MSP

Based on engagement and correspondence up to 12 August:

13. On affordability,

- **Liz Smith MSP has** provided revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment. As part of these estimates, **Liz Smith MSP has** produced revised cost figures associated with staffing and transport, and as adjusted for inflation.
- **[Redaction – Section 29(1)(a)]**

14. On equity of provision,

- **Liz Smith MSP has** referred in her letters dated 5 June and 31 July to different examples of outdoor education centres with disability facilities in Scotland, and in her letter dated 31 July, **Liz Smith MSP has** referred to the potential of public-private finance to support new infrastructure development.
- **[Redaction – Section 29(1)(a)]**

15. On workforce implications,

- **Liz Smith MSP has** met with COSLA on 12 June to discuss. COSLA have separately expressed concern to you that Liz Smith’s MPS positive tone at this meeting did not reflect the depth of their concern around the Bill. They sent a follow up letter to the Member setting out their position on 20 June.
- **Liz Smith MSP has not** engaged trade unions to explore the potential implications of her Bill as introduced, and has confirmed that she does not believe that it would be appropriate for her to do so.

**EXAMPLE PILOT APPROACH
[AS SHARED WITH LIZ SMITH MSP, SEPTEMBER]**

[OUT OF SCOPE]

[OUT OF SCOPE]

**Attachment 20: CSFLG meeting CSFLG Briefing - 12
August 2025 1330**

**MINISTERIAL ENGAGEMENT BRIEFING: CABINET SECRETARY FOR FINANCE &
LOCAL GOVERNMENT**

<i>Engagement Title</i>	Meeting: [Redaction – Section 29(1)(b)] Cross-Portfolio Meeting to discuss the Outdoor Education Bill
<i>Location</i>	Microsoft Teams
<i>Date and Time of Engagement</i>	Date: 12 August 2025 Time: 13:30
<i>Background</i>	<p>As part of deciding on the Scottish Government’s position to abstain at the Stage 1 vote on this Bill in March 2025, [Redaction – Section 29(1)(b)]If no Financial Resolution is passed, the Bill will fall.</p> <p>Following the passing of the Bill at Stage 1 in March 2025, Ministers have up to 6 months from conclusion of Stage 1 to confirm to Parliament the Government’s position on the Financial Resolution. This timeframe runs to Friday 26 September 2025.</p> <p>[Redaction – Section 29(1)(b)]1(b)].</p>
<i>Official Support</i>	<p>Names: [Redaction – Section 38(1)(b)]– Finance Business Partner for Education</p>

Outdoor Education Bill

Background

- Ms Liz Smith MSP lodged her final proposal for the Bill on 24 January 2023. This proposal obtained the necessary cross-party support and secured the right to **[Redaction – Section 29(1)(b)]** The Bill was subsequently introduced by Liz Smith MSP on 20 June 2024.
- **[Redaction – Section 29(1)(b)]**
- For the Bill to proceed, a motion for a Financial Resolution must be lodged no later than six months following the end of Stage 1 or the Bill will fall.
- During the Stage 1 debate Ms Donn-Innes made clear to Parliament that Ministers would only do so “if and when affordability of the provisions – and other practical implementation challenges – can be assured”
- The Financial Memorandum estimates that the potential cost to the Scottish Budget would total between **£20.4 million to £33.9 million in the first year of delivery (projected to be 2025/26), with a slight increase in Year 2. However, based on additional Scottish Government analysis, policy officials conservatively estimate that the potential cost range for Year 1 rollout in 2025/26 is between £24.3 million to £40.6 million.**
- Liz Smith MSP met with the Minister on 1 July to discuss progress. Liz Smith MSP has confirmed a willingness to consider a number of compromises around the approach set out in her Bill and discussed proposals for potential Stage 2 amendments on this basis. This includes potential Stage 2 amendments to:
 - **[Redaction – Section 29(1)(a)].**
- **Despite this, a number of points remain outstanding to be addressed:**
 - **Affordability:**
 - In her letter to the Minister for Children, Young People and the Promise dated 31 July, Liz Smith MSP provides revised estimates based on a targeted approach that concludes: “the targeted provision model for all primary children [across P6 or P7] in receipt of the SCP and/or with an ASN would cost in the region of **£15,289,000 to £16,832,000** [per annum].” [adjusted for inflation]
 - Liz Smith notes that: “*Limiting the policy to primary pupils, whilst protecting universal access, could reduce the costs by up to £11 million based on my estimates. Limiting the policy to all primary pupils with additional support needs or in receipt of the Scottish Child Payment could reduce the costs by as much as £18.4 million per annum.*”
 - **[Redaction – Section 30(b)(i)].**
 - **On equity of provision:**
 - **[Redaction – Section 30(b)(i)].**
 - **Workforce:**
 - Concerns remain on workforce considerations, as Liz Smith MSP continues to advocate for an approach to residential provision that relies on teachers volunteering to participate, **[Redaction – Section 30(b)(i)].**
 - **COSLA:**

- o Issues raised by COSLA include issues surrounding finances, workforce and staffing, centre capacity and logistics, and equity and inclusion.
- o **[Redaction – Section 30(b)(ii)]**

Finance Advice

- Liz Smith has provided some details of revised costings which could reduce the estimated costs of the Bill as follows:
 - o Limiting the policy to primary pupils only, whilst maintaining universal access, could reduce costs by £11 million per annum; and
 - o Limiting the policy to all primary pupils with additional support needs or in receipt of the Scottish Child Payment could reduce the costs by £18.4 million per annum.
- **[Redaction – Section 30(b)(i)].**

Lines to Take

- **[Redaction – Section 30(b)(i)].**

Attachment 21: Document 4 - Shortened Policy Briefing for Outdoor Education Bill Meeting 120825

ANNEX A

CONDITIONS OUTLINED TO LIZ SMITH MSP TO INFORM A DECISION ON THE FINANCIAL RESOLUTION

Below is an overview of the original set of key conditions – or expectations, asks – that you outlined to Liz Smith MSP in correspondence on 3 May following an in-person discussion, which you indicated that you would expect her, as the Member in Charge, to lead work around ahead of recess to help inform Ministerial considerations around whether or not to lodge a motion for a Financial Resolution by September. These have formed the basis of your on-going discussions with the Member up to August 2025.

On affordability:

1) Clarification on total costs associated with the Bill as introduced – in particular, as related to provision for pupils with additional and complex needs, potential increased staffing costs (recognising the move from current reliance on teachers volunteering to support residential trips, to this becoming a requirement on teachers), and other associated costs such as transport, should the Bill become law. As discussed, this will necessitate you having further discussions with both COSLA and the teaching unions.

2) A set of potential amendments for consideration at Stage 2 focused on reducing the overall cost of the Bill as introduced, including on targeted rather than universal provision which you said in our meeting that you would be open to.

On equity of provision:

3) Clarification of your expectations for equity of provision for individuals with additional support needs and how these will be met, informed by engagement with the outdoor education sector and other relevant partners (including, for example, Education Scotland and ADES), most notably relating to:

- The capacity of the outdoor education sector to provide for pupils with severe disabilities (both in terms of infrastructure and equipment, and workforce, to ensure pupils receive the right support); and
- The importance of flexibility in delivery to meet the needs of pupils with additional and complex needs for whom residential experiences may not be suitable.

On workforce implications:

4) Confirmation of engagement with COSLA and trade unions around potential workforce equality, staffing and contractual implications should the Bill become law, and agreement with these partners on how best to address these concerns.

SUMMARY OF PROGRESS MADE BY LIZ SMITH MSP VS GOVERNMENT ASKS

Based on engagement and correspondence prior to 12 August:

16. On affordability*,

- **Liz Smith MSP has** provided revised cost estimates associated with provision of residentials for P6 or P7 pupils only, including a targeted approach focused on those pupils with Additional Support Needs (ASN) and those eligible for Scottish Child Payment. As part of these estimates, **Liz Smith MSP has** produced revised cost figures associated with staffing and transport, and as adjusted for inflation.

[Redaction – Section 29(1)(a)]

17. On equity of provision,

- **Liz Smith MSP has** referred in her letter dated 5 June to the Minister for Children, Young People & The Promise to the National Sports Training Centre (NSTC) in Inverclyde – which can accommodate up to 120 pupils, with 6 beds adapted with hoists for those requiring additional support – as an example of growth in sector capacity to accommodate pupils with ASN. In her letter dated 31 July, **Liz Smith MSP has** referred to the potential of public-private finance to support new infrastructure development.

[Redaction – Section 29(1)(a)]

18. On workforce implications,

- **Liz Smith MSP has** met with COSLA on 12 June to discuss, with their position outlined in their letter of 20 June.
- **Liz Smith MSP has not** engaged trade unions to explore the potential implications of her Bill as introduced, and has confirmed that she does not believe that it would be appropriate for her to do so.

REVISED LIZ SMITH MSP FINANCIAL MODELLING

In her letter to the Minister for Children, Young People & The Promise, dated 31 July, Liz Smith MSP provides revised estimates based on a targeted approach that concludes: “the targeted provision model for all primary children [across P6 or P7] in receipt of the SCP and/or with an ASN would cost in the region of **£15,289,000 to £16,832,000** [per annum].” [adjusted for inflation]

SG Education Analytical Services have reviewed the latest revised financial modelling provided by Liz Smith MSP on 31 July, and have produced the following analysis:

7. Summary of main revisions

Provision applying only to primary schools: While the Bill does not specify an age range for provision, Liz Smith MSP indicated upon introduction that her preference is for support to be provided to pupils from P6-S4. In her latest revised cost modelling, Liz Smith MSP now proposes that a more targeted Bill could focus on P6-7 pupils only.

However, given the original FM proposed sending approximately one year group of pupils per annum, the impact of this in terms of cost is significant but not transformative. In practice, the letter proposes 57,000 pupils would attend ROE each year, as opposed to levels of between 55,000 and 65,000 in the original FM. The more important effect of this on cost is to reduce the average cost of a visit to an inflation-adjusted £400 per visit as opposed to the FM, which included higher costs per visit for secondary school pupils.

Addition of uptake rate assumptions: Costs are further scaled downwards by the assumption that only 80 to 85% of pupils will take up the offer of a residential visit. There is no formal national data collection on which to base this assumption, however SG officials' informal conversations with those familiar with school outdoor visits within Edinburgh Council lead us to believe this uptake rate appears reasonable. There is a realistic possibility, however, that uptake rate would increase should the financial cost to families of residential visits reduce.

Complex Additional Support Needs: It is assumed that additional funding will be required for pupils with complex ASN and that all pupils attending special schools will have complex needs. **[Redaction – Section 30(b)(ii)]** It is important to note that not all pupils with complex ASN attend special schools, however the relevant data collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits and therefore it is understandable that the analysis takes this approach. The letter assumes that 212- 225 pupils with complex ASN will take part in visits, based on the number of P7-aged special school pupils, adjusted for uptake rate. **[Redaction – Section 30(b)(i)]**

Targeting of provision to Scottish Child Payment and ASN pupils: The second policy option proposed in the letter targets funding at pupils who either have ASN or live in families in receipt of Scottish Child Payment. The policy costs estimated for universal provision have been scaled downwards accordingly towards the reduced target population. The approach towards this scaling as described appears reasonable and results in a reduction in the cost of the policy from up to £24.2 million under universal provision, to £16.8 million when targeted.

Inflation adjustments: The main cost items have been adjusted in line with inflation to the financial year 2027-28. Although the specifics of this are not provided the approach required is widely understood and uncontroversial and therefore unlikely to be a cause for concern.

8. Further remaining concerns

Transport costs: The letter does not revise the approach taken on transport costs and states it uses the SG figures provided in the letter from Ms Don-Innes to Ms Smith on 22 May 2025. However, in that letter it was made clear that this estimate was caveated as being based on the FM costings, which were considered to be a potential underestimate, as previously set out in correspondence to Committee. **[Redaction – Section 30(b)(ii)]**

Staffing: The exact approach taken to revising additional teaching staff costs in the bill is not made clear, however the text and the fact that the FM assumed there was no additional staff cost for primary school visits implies this is treated as zero cost. While some schools may be able to accommodate visits without additional disruption to timetables and staff resourcing, this may not be the case in every setting. By moving to a statutory requirement for residential visits, some stakeholders felt that staff may feel

entitled to claim overtime or time off in lieu, which could have a significant effect on the cost of delivery.

Contact: [Redaction – Section 38(1)(b)] (SG Education Analytical Services)
[Redaction – Section 38(1)(b)]@gov.scot

[Redaction – Section 30(b)(i)]

Attachment 22: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Handling Advice - [Redaction – Section 30(b)(i)] Members - 11 Sept

SCENARIO: LODGE MOTION FOR FINANCIAL RESOLUTION

Potential Handling & Implications – to note

Lodging a motion for a Financial Resolution (if passed by Parliament) will mean the Bill progresses to Stage 2 and will follow standard parliamentary Bill scrutiny processes.

[Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(a)]

Targeting and a change in commencement are both proposals that the Member in Charge has indicated an openness to considering, should the Bill progress.

Note: The Education Committee is comprised of 4 SNP MSPs out of a total of 10 members. The remaining Committee members includes 2 Conservatives, 1 Labour, 1 Lib Dem, 1 Green and 1 independent MSP.

[Redaction – Section 30(b)(i)]

SCENARIO: DO NOT LODGE A MOTION FOR A FINANCIAL RESOLUTION

As reflected in the Member's Debate on 9 September and during the Minister's Committee appearance on 10 September, there are concerns across MSPs that Government would be denying the will of Parliament expressed at Stage 1 – through use of a parliamentary procedural mechanism to allow the Bill to fall.

Parliament's Standing Orders which include provision for the Financial Resolution process, and the Parliament's guidance on public Bills that explains the mechanism and its origins, are matters of procedural regulation and guidance within the remit of the Parliament.

[Redaction – Section 30(b)(i)]

If no Financial Resolution is lodged, there will be no motion to vote on.

[Redaction – Section 30(b)(i)]

TIMESCALES FOR DECISION

[Redaction – Section 29(1)(b)]

If Ministers decide to lodge a Financial Resolution, Government must give notice of such a motion by Friday 26 September (Friday) at the latest – at Committee on 10 September, the Minister agreed to provide confirmation on a sitting day of Parliament (Thursday 25 September).

[Redaction – Section 30(b)(i)]

Attachment 23: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Further Ministerial Update to FM - update on handling FR - 12 Sept

From: Minister for Children, Young People & The Promise
12 September 2025

First Minister

SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: FURTHER UPDATE ON HANDLING

10. In my previous note of 21 August I set out a number of considerations which supported the conclusion that the Government should not lodge a motion for a Financial Resolution on the above Bill, thus allowing the Bill to fall. These concerned affordability (both quantum and the extent of unknown costs), equity for pupils with additional support needs, and deliverability, not least in relation to implications for the teaching workforce. I attach my earlier note for reference.

[Redaction – Section 29(1)(b)]

Natalie Don-Innes MSP

Minister for Children, Young People & The Promise

**Attachment 24: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Further Ministerial Update to
FM - Preferred Handling FR**

From: Minister for Children, Young People & The Promise
12 September 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

[Redaction – Section 29(1)(b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

**Attachment 25: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Further Ministerial Update to
FM - update on handling FR - 12 Sept**

From: Minister for Children, Young People & The Promise
12 September 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

[Redaction – Section 29(1)(b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

**Attachment 26: Note to First Minister - Schools
(Residential Outdoor Education) (Scotland) Bill - Stage 2
- 13 September 2025**

From: Minister for Children, Young People & The Promise
13 September 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

[Redaction – Section 29(1)(b)]

**Natalie Don-Innes MSP
Minister for Children, Young People & The Promise**

**Attachment 27: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Corres(25)(54) - Ministerial
Update on Advice - 15 Sept**

From: Minister for Children, Young People and The Promise
Xx September 2025

[Redaction – Section 29(1)(b)]

[Redaction – Section 29(1)(b)] **CORRESPONDENCE: SCHOOLS (RESIDENTIAL
OUTDOOR EDUCATION) (SCOTLAND) BILL: AGREEMENT TO SCOTTISH
GOVERNMENT POSITION ON THE FINANCIAL RESOLUTION - UPDATE**

Purpose and recommendation

1. [Redaction – Section 29(1)(b)] is [Redaction – Section 30(b)(i)]..

Updated Advice

2. It is increasingly evident, including from the Member's Debate brought by Liz Smith MSP as Member in Charge of the Bill on 9 September and during the Minister's evidence session with the Education, Children and Young People Committee on 10 September, that the will of Parliament is behind the Bill and maintaining the assumption that the Scottish Government will lodge a motion for a Financial Resolution where necessary for relevant Members' Bills. There is no appetite from any party to deviate from that. Indeed, while there are members who share the Government's concerns at the deliverability of the scope and expense of the Bill provisions, members of all parties have been clear that a motion for a Financial Resolution should be lodged, [Redaction – Section 30(b)(ii)].
3. [Redaction – Section 29(1)(b)]
4. [Redaction – Section 30(b)(ii)]
5. Affordability and deliverability risks remain, not least because there are significant unknown costs behind the Bill proposals as currently drafted. [Redaction – Section 30(b)(i)]

6. The Minister therefore proposes the following approach to respond to the concerns of Parliament while treating the risks of affordability and deliverability in the Bill:

a. **[Redaction – Section 29(1)(a)]**:

i. **[Redaction – Section 29(1)(a)]**.

b. **[Redaction – Section 29(1)(a)]** (NOTE: the Bill is past the point at which Government can exercise the option under Standing Orders to take over delivery of the Bill; the Member in Charge can withdraw the Bill after Stage 1 only with the agreement of Parliament). I would seek a commitment from Liz Smith on these areas of compromise, which are consistent with areas where she has hitherto shown some flexibility, before the motion for a Financial Resolution is lodged.

c. **[Redaction – Section 29(1)(a)]**. **[Redaction – Section 30(b)(ii)]**.

d. **[Redaction – Section 29(1)(a)]**.

7. **[Redaction – Section 29(1)(b)]**

8. **[Redaction – Section 30(b)(i)]**.

Resource Implications

9. **[Redaction – Section 29(1)(b)]** there will be more significant resource implications – and a need to reprioritise as appropriate to accommodate across policy and associated functional areas including SGLD, PCO and PLU, amongst others – should Government lodge a motion for a Financial Resolution **[Redaction – Section 29(1)(b)]**. This is in comparison to not lodging a motion and allowing the Bill to fall, accompanied by a package of non-legislative alternative delivery activities.

Financial Implications

10. If the Bill were to pass in its current form, it would have substantial financial implications and is not affordable within existing budget plans. Accommodating its costs would require significant reductions/stopping in planned spending. **[Redaction – Section 30(b)(ii)]**.

Decision Timeline

11. Due to the limited time now remaining for Government to confirm its position on the Financial Resolution, the Minister would welcome a **decision [Redaction – Section 29(1)(b)] by 17 September** to allow the motion to be lodged before the Bill otherwise falls on 26 September.

Attachment 28: follow up - Schools (Residential Outdoor Education) (Scotland) Bill - 16 September 2025

[Redaction – Section 29(1)(b)]

From: Minister for Children, Young People & The Promise

Issue Date

[Redaction – Section 29(1)(b)]

[Redaction – Section 29(1)(b)] **SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: AGREEMENT TO SCOTTISH GOVERNMENT POSITION ON THE FINANCIAL RESOLUTION** [Redaction – Section 29(1)(b)]

Purpose and Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect** the decision [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member's Bill and not lodge a Financial Resolution at that time;
- ◆ **Recollect** that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;

[Redaction – Section 29(1)(b)]

- ◆ **Note** the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;
- ◆ **Note** that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;
- ◆ **Note** the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, [Redaction – Section 30(b)(i)]
- ◆ **Note** that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member's Bill from progressing in this way;
- ◆ **Note** the scheduling of a Member's Debate on residential outdoor education and this Bill (motion lodged by Liz Smith MSP) on 9 September, and that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government's outstanding concerns with the Bill and handling approach since Stage 1;

[Redaction – Section 30(b)(i)]

- ◆ **Agree** that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at **Annex C**) be issued to the Education, Children & Young People Committee (copied to the

Member in Charge) by 26 September [Redaction – Section 30(b)(i)] that will now be progressed by the Scottish Government;

- ◆ **Agree** that the Minister for Children, Young People & The Promise should make a statement to Parliament [Redaction – Section 30(b)(i)]

Priority

79. **Routine.** Responses are requested by **close on Friday 12 September 2025.**

Background

80. Liz Smith MSP introduced this Member's Bill on 20 June 2024 – **Annex A** summarises the main intent of the Bill and a focus of the provisions. The Education, Children & Young People Committee (lead Committee for scrutiny of the Bill) reported its Stage 1 findings on 4 February 2025, informed by a formal call for evidence process, evidence sessions with key stakeholders and Scottish Ministers, and associated findings from the Finance & Public Administration Committee's scrutiny of the Financial Memorandum. The Education Committee concluded that while it supported the general principles of the Bill, this legislation should only progress if a number of concerns relating to affordability and deliverability of the provisions were addressed.

[Redaction – Section 29(1)(b)]

81. The Bill passed Stage 1 on 27 March with 64 votes for, 1 vote against, 53 abstaining and 10 not voting. Consequently, the Scottish Government has up to 6 months following conclusion of Stage 1 (i.e. by 26 September) to confirm whether or not it intends to lodge a motion for a Financial Resolution or the Bill will fall.

82. Following the conclusion of Stage 1, I have undertaken a number of engagements and related policy development work to better understand the potential implications of this Member's Bill, should it progress; and how best the will of Parliament demonstrated at Stage 1 may be met through alternative policy-based activities, should the Bill fall. This has included regular engagement with Liz Smith MSP to provide clarity on my expectations for the work that she would lead, as the Member in Charge, to attempt to establish assurance around the following issues relating to the provisions in her Bill:

- **Affordability**, and clarity on total potential costs for delivery
- **Equity of provision**, including deliverability for pupils with complex and/or multiple support needs
- **Workforce** implications

83. I address each of these in turn below, including the steps taken by Liz Smith MSP and outstanding gaps where I feel assurance has yet to be established.

Discussion of progress made by the Member in Charge

84. Since Stage 1, Liz Smith MSP has [Redaction – Section 30(b)(ii)] engaged closely with the outdoor education sector – having undertaken a number of visits to outdoor education centres during summer recess – and her commitment to residential outdoor education is clear. [Redaction – Section 30(b)(ii)]

85. Most notably, in response to Government's asks, Liz Smith MSP has indicated that she is open to considering amendments to her Bill in a number of areas raised as concerns by me and by the lead Committee, in particular in relation to overall cost. This includes moving from universal funding to targeted funding for pupils in deprived circumstances and those with additional support needs (ASN). Specifically, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for "all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an additional support need" only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.** For context, our own latest estimates of the potential financial costs of the Bill, as introduced, suggest an **annual cost of the Bill ranging from £24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in data on the total costs of residential school trips across different variables.

86. Liz Smith MSP has also indicated an openness to consider changes in commencement of the provisions to reflect a more transitional (phased) approach, which could mitigate higher costs for delivery in the early years of implementation, and would allow time for baseline costs to be established. Nevertheless, this entails a legislative requirement being in place before full costs are understood.

87. **However, despite the efforts demonstrated by Liz Smith MSP and her team, there remain outstanding concerns to be addressed relating to the following:**

- **Affordability**

[Redaction – Section 30(b)(i)]

- ***Clarity on total potential costs***

[Redaction – Section 30(b)(i)]

- **Other outstanding deliverability concerns**

88. While the principal focus of any decision around the Financial Resolution must be on questions of affordability and clarity on total potential costs of the legislation, the following wider deliverability concerns remain substantial points for consideration; and may, in certain cases, represent areas of potential additional indirect costs for delivery.

[Redaction – Section 30(b)(i)]

Financial Resolution: Handling Options

89. The handling options are:

OPTION 1:

Lodge a motion for the Financial Resolution and seek amendments at Stage 2

90. Under this option a motion for a Financial Resolution would be lodged and Stage 2 amendments would be used, in so far as they can be, to attempt to address as best as possible the outstanding concerns and/or mitigate the implications. **Annex B** outlines a

set of proposals that I have considered with my officials, informed by SGLD and Parliamentary Counsel.

[Redaction – Section 29(1)(a)]

[Redaction – Section 30(b)(i)]

OPTION 2:

Do not lodge motion for Financial Resolution resulting in the Bill falling, but commit to an alternative non-legislative approach

91. This approach aligns [Redaction – Section 29(1)(b)] Government's current position as expressed at Stage 1, where we committed to only doing so if and when assurance on outstanding concerns could be established

[Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(a)]

Preferred Approach & Proposed Next Steps

[Redaction – Section 29(1)(b)]

[Redaction – Section 30(b)(i)]

92. [Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)]

Verity House Agreement Implications

93. [Redaction – Section 29(1)(b)], should the Bill become law it would impose a range of new statutory duties on local authorities. Though the financial obligation of funding those duties would sit with Scottish Ministers – to provide to education authorities and managers of grant-aided schools – should the Bill be enacted we would need to work closely with COSLA and ADES to plan and prepare for implementation of the provisions. An appropriate level of funding for local authorities would need to be agreed through the Scottish budget process.

94. [Redaction – Section 30(b)(i)], in this context there would still be implications for local authorities around supporting delivery of any alternative non-legislative approach, including a targeted pilot across a cohort of relevant and willing local authorities.

[Redaction – Section 30(b)(ii)] Unfortunately, while I have discussed the Bill and options for an alternative approach with COSLA political leaders, timings for formal agreement by COSLA's Leadership Board would not coincide with our own internal governance and procedural requirements to confirm a formal Government position on the Bill by 26 September. [Redaction – Section 30(b)(ii)] I will ensure early engagement takes place with COSLA following my parliamentary statement.

Legal Considerations

[Redaction – Section 36(1)]

Financial Implications

[Redaction – Section 30(b)(i)]

Other Resource Implications

95. **[Redaction – Section 29(1)(b)]** should the Bill progress to Stage 2, policy officials and legal officials would need to support a range of amendments; and if the Bill became law, significant resources would need to be committed across the Scottish Government and Education Scotland (including the new inspectorate) in the near-term to enable effective implementation.

[Redaction – Section 30(b)(i)]

96. If the Bill were not to progress, and the Government committed to delivering other non-legislative interventions, some of these diverted resource implications would remain (principally relating to the lead policy team and Education Scotland), but to a lesser extent. So far, to meet the demands of shadowing the Bill, a temporary restructure of the Curriculum Policy team has been in place, which would remain to support this. There would also be less pressure on SGLD and PCO to deliver this option.

Stakeholder Engagement

97. The outdoor education sector appears to be broadly supportive of this Bill; however, this sentiment is not shared by key delivery partners. Liz Smith MSP met with COSLA leaders on 12 June to discuss a number of the above concerns around affordability and deliverability of her Bill, on my urging. I similarly met with both Cllr Buchanan and Cllr Hagmann on 6 August. **[Redaction – Section 30(b)(ii)]**. My officials have also been in regular contact with the Association for Directors of Education in Scotland (ADES), **[Redaction – Section 30(b)(ii)]**

98. Specifically, both COSLA and ADES have indicated that similar challenges faced by the Bill would apply in the context of a policy-based pilot but at a smaller scale; **[Redaction – Section 30(b)(ii)]**. **[Redaction – Section 30(b)(i)]**

Opposition Parties & Parliamentary Considerations

99. Setting aside the abstentions at Stage 1, the Bill secured considerable support from other MSPs, with only one vote against its general principles. If a motion for a Financial Resolution was laid and agreed to by Parliament, it is likely that the Bill would have a majority of support in Committee at Stage 2 and in the Chamber at Stage 3. Indeed, it is well known publicly that Liz Smith MSP has made significant compromises in her approach since Stage 1 in discussions with me, and has been engaging other Members to inform these considerations. Sensing that the Government may not lodge a motion for a Financial Resolution, Liz Smith MSP wrote to me most recently on 12 August – copied to the Convenor of the lead Committee – to express strong frustration with Government's handling around her Bill, in particular emphasising that she has taken steps to reduce the costs of the provisions but Government has failed to state what level of cost would in fact be affordable.

100. **[Redaction – Section 30(b)(ii)]**.

101. **[Redaction – Section 30(b)(ii)]** I have now been invited to appear before the Education Committee on 10 September to answer further questions on this Bill and Government's handling following Stage 1.

Presentation Issues

102. Since Stage 1, there has been minimal media coverage on the Bill. However, the Scottish Government has received a co-ordinated campaign of around 50 letters (across 6 schools) from pupils advocating for Ministers to support its progression. We also received a letter from the Association of Heads of Outdoor Education Centres on 24 June outlining their concern **[Redaction – Section 30(b)(ii)]**. Additionally, Liz Smith MSP is now engaging media outlets around her now scheduled Member's Debate on residential outdoor education and her Bill on 9 September.

[Redaction – Section 30(b)(ii)]

103. **[Redaction – Section 29(1)(b)]** I would work with my officials to prepare a robust comms plan and lines to take in advance of any announcement to Parliament, which would seek to foreground and positively promote Government's new policy commitments on residential provision, as well as existing support provided to practitioners through Education Scotland.

Recommendation

[Redaction – Section 29(1)(b)]

- ◆ **Recollect [Redaction – Section 29(1)(b)] that the Government should abstain from the Stage 1 vote on the above Member's Bill and not lodge a Financial Resolution at that time;**
- ◆ **Recollect that the Bill passed Stage 1 but will fall unless the Scottish Government lodges a motion for a Financial Resolution within 6 months of conclusion of Stage 1 i.e. by 26 September 2025;**

[Redaction – Section 29(1)(b)]

- ◆ **Note the work undertaken by the Member in Charge between April 2025 and August 2025, at the request of Government, to address outstanding concerns around the affordability and deliverability of the Bill;**
- ◆ **Note that despite this work, there remain significant outstanding issues with this Bill, specifically concerning clarity on total potential costs of the provisions and overall affordability of the Bill, as introduced, even if provision might be made more targeted subject to potential Stage 2 amendments; as well as wider deliverability concerns, including relating to equity of provision and workforce implications;**
- ◆ **Note the work undertaken in parallel by Scottish Ministers to develop an alternative non-legislative approach to improve provision and access to residential outdoor education, [Redaction – Section 30(b)(i)]**

- ◆ **Note** that there are political, policy and reputational sensitivities around not lodging a motion for a Financial Resolution for this Bill, including the fact that this would be the first time the Scottish Government has prevented a Member's Bill from progressing in this way;
- ◆ **Note** the scheduling of a Member's Debate on residential outdoor education and this Bill (motion lodged by Liz Smith MSP) on 9 September, and that the Minister for Children, Young People & The Promise is due to appear at the Education, Children & Young People Committee on 10 September to answer questions around the Government's outstanding concerns with the Bill and handling approach since Stage 1;

[Redaction – Section 30(b)(i)]

- ◆ **Agree** that a joint letter from the Minister for Children, Young People & The Promise and the Cabinet Secretary for Finance & Local Government (contained at Annex C) be issued to the Education, Children & Young People Committee (copied to the Member in Charge) by 26 September, [Redaction – Section 30(b)(i)] will now be progressed by the Scottish Government;
- ◆ **Agree** that the Minister for Children, Young People & The Promise should make a statement to Parliament outlining the reasons behind the Government's decision [Redaction – Section 30(b)(i)]

ND
August 2025

Copy List	For Action	For Comments	Portfolio Interest	Constituency Interest	General Awareness
Cabinet Secretary for Education & Skills			X		
Minister for Children, Young People & The Promise			X		
Solicitor General					X

Permanent Secretary
Solicitor to the Scottish Government
Chief Parliamentary Counsel
Legal Secretariat to the Lord Advocate
Andy Bruce, Director of Communications and Ministerial Support
Helen Webster, Head of Cabinet Secretariat
[Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)], Cabinet Secretariat
Inbox
PLU: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]
[Redaction – Section 38(1)(b)], REUL Co-ordinator
SGLD Legislation co-ordinators: [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]

Finance Business Partner Division: **[Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)] [Redaction – Section 38(1)(b)]**

DG Education and Justice

Clare Hicks, Director, Educational Reform

Graeme Logan, Director, Learning

Lewis Hedge, Deputy Director, Curriculum & Qualifications Division

Lisa Bird, Deputy Director, Education Reform

Alison Taylor, Deputy Director, Improvement Attainment & Wellbeing

[Redaction – Section 38(1)(b)] (SGLD)

SGLD School Education

[Redaction – Section 38(1)(b)] (SGLD)

[Redaction – Section 38(1)(b)] (SGLD)

Jonathan Brown (PCO)

[Redaction – Section 38(1)(b)] (PCO)

[Redaction – Section 38(1)(b)] (Curriculum Development)

[Redaction – Section 38(1)(b)] (Curriculum Development)

[Redaction – Section 38(1)(b)] (Curriculum Development)

[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery)

[Redaction – Section 38(1)(b)] (Education Reform – Performance & Delivery, Finance)

[Redaction – Section 38(1)(b)] (EAS)

[Redaction – Section 38(1)(b)] (EAS)

Gillian Hamilton (Interim Chief Executive, Education Scotland)

Ollie Bray (Strategic Director, Education Scotland)

[Redaction – Section 38(1)(b)] (Education Scotland)

[Redaction – Section 38(1)(b)] (Education Scotland)

[Redaction – Section 38(1)(b)] (Education Scotland)

Janie McManus (Interim Chief Inspector, HMle)

Kate Higgens (Special Advisor)

Jeanette Campbell (Special Advisor)

DL SpAds Admin

SUMMARY OF PROVISIONS

7. The Bill aims to ensure universal provision and access to “one course” of residential outdoor education for all pupils.
8. To achieve this, the Bill proposes new statutory duties on:
 - ◆ Education authorities, in relation to management of public schools, and Managers of grant-aided schools to provide or secure at least four nights and five days of residential outdoor education to their pupils;
 - ◆ Scottish Ministers, to prepare and publish guidance to Education authorities and Managers of grant-aided schools about the duties to be imposed by the Bill (including any engagement with inspections), which Education authorities and Managers of grant-aided schools must have regard to in exercising those duties.
 - ◆ Scottish Ministers, to pay a “sufficient amount” to Education authorities and Managers of grant-aided schools to carry out their new statutory duties in respect of residential outdoor education as provided for by the Bill. Effectively, the course of residential outdoor education should be free of charge to pupils and fully funded by Scottish Ministers.

PROPOSALS FOR POTENTIAL STAGE 2 AMENDMENTS
[Out of scope]

ANNEX B

DRAFT JOINT MINISTERIAL LETTER TO COMMITTEE

ANNEX C

OUT OF SCOPE

[DRAFT LETTER]

ANNEX B

[Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(a)]

**Attachment 29: Schools (Residential Outdoor Education)
(Scotland) Bill - Stage 2 - Financial Resolution
Submission - Final - Submitted 17 Sept**

[Redaction – Section 38(1)(b)]
Directorate for Education Reform
17 September 2025

Cabinet Secretary for Finance and Local Government
Minister for Children, Young People and the Promise

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL: FINANCIAL
RESOLUTION**

Purpose

To seek agreement to the draft Financial Resolution for the Schools (Residential Outdoor Education) (Scotland) Bill, as attached at the Annex.

Priority

Urgent. A response by noon Friday 19 September at the latest is requested, to ensure a motion for a Financial Resolution can be lodged on a sitting day of Parliament ahead of Friday 26 September, which is necessary or else the Bill will fall.

Financial Implications of the Member's Bill

Rule 9.12.3A of the Scottish Parliament's Standing Orders states that where a Bill contains provisions the likely effect of which would be to increase significantly expenditure payable out of the Scottish Consolidated Fund for any purpose, no

proceedings may be taken on the Bill at any Stage after Stage 1 unless the Parliament has by resolution agreed to the increase in expenditure being payable out of that Fund.

On 3 September 2024, the Presiding Officer wrote to Liz Smith MSP to advise that she has determined that a Financial Resolution is required for the Schools (Outdoor Residential Education) (Scotland) Bill. For the purposes of Standing Orders, expenditure is regarded as 'significant' if it exceeds £0.5m in a year.

Liz Smith MSP introduced her Member's Bill on residential outdoor education in summer 2024. The Financial Memorandum accompanying the Bill, as introduced, estimates that the potential cost to the Scottish Budget would total between £20.4 million to £33.9 million in the first year of delivery (at the time of introduction this was projected to be 2025/26), with a slight increase in Year 2 (reflecting the potential need in the initial years for a higher proportion of secondary school pupils to be provided the opportunity to ensure they receive their entitlement before they finish their school career), before resettling within this cost range from Year 3 onwards. However, our own analysis of the Bill as introduced suggests that the potential annual financial costs of the Bill may range from £24.8 million to £41.5 million (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in cost variables.

Both the lead Education Committee and Scottish Government have identified a number of concerns regarding affordability and deliverability of the provisions. [Redaction – Section 29(1)(b)], and it was indicated to Parliament at the Stage 1 debate that assurance on these issues must be established before such a motion could be brought forward. The Bill passed the Stage 1 vote on general principles on 27 March 2025. The six-month deadline for Ministers to bring forward a motion for a Financial Resolution is 26 September 2025.

Following conclusion of Stage 1, Liz Smith MSP has provided revised cost modelling for her Bill to reflect a more targeted approach to funding delivery in an effort to reduce the overall financial cost of the provisions. This modelling suggests that “the targeted provision model for all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an Additional Support Needs would cost in the region of £15,289,000 to £16,832,000”. This approach would be subject to agreement of amendments at Stage 2. A decision on whether or not to lodge a motion for a Financial Resolution must be assessed based on the total potential costs of the Bill as introduced.

The revised cost estimates presented by the Member in Charge are also subject to the same analytical caveats as those within the Financial Memorandum, meaning that they are likely an underestimate. There remain gaps in the data available to inform more robust cost estimates for delivery of the Bill's provisions at this stage – relating to, for example, transport and support for pupils with complex and/or multiple support needs. Other outstanding considerations that may impact on the total potential costs of the Bill include workforce implications, and wider ancillary costs such as potential capital investment needs of the sector to meet the demands of the Bill, should it become law.

Financial Resolution Handling

[Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)]

[Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(ii)] [Redaction – Section 29(1)(b)]

Motion for Financial Resolution

1. A draft Financial Resolution, in the usual form, is attached at the **Annex**. This has been cleared by our Finance Business Partner. The resolution is in the name of the Cabinet Secretary with responsibility for finance. This does not prevent the motion being moved in chamber by any other Cabinet Secretary or Minister.
2. Once approved, the Minister for Parliamentary Business will schedule the Financial Resolution for the day after the Parliamentary Statement on this Bill has been delivered (c. Wednesday 24 September), subject to clearance by Cabinet and agreement at the meeting of the Parliamentary Bureau. The motion will be lodged by officials in the Parliamentary Counsel Office once the Minister for Parliamentary Business' Private Office have confirmed the scheduling of the Financial Resolution has been communicated to opposition Business Managers.
3. As currently drafted, section 6C(1) of the Bill provides that the Scottish Ministers must pay such amounts as are sufficient to enable education authorities and the managers of grant-aided schools to provide or secure the provision of one course of residential outdoor education for each pupil attending a public or grant-aided school. **[Redaction – Section 30(b)(i)]**
4. **Recommendation**
5. **You are invited to:**
 - **agree the terms of the draft Financial Resolution, attached at the Annex.**

[Redaction – Section 38(1)(b)]

Directorate for Education Reform Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Cabinet Secretary for Finance & Local Government	X				
Cabinet Secretary for Education and Skills			X		
Minister for Parliamentary Business			X		

DG Education & Justice Clare Hicks, Director for Education Reform Lewis Hedge, Deputy Director Curriculum & Qualifications [Redaction – Section 38(1)(b)] Unit Head Curriculum 2 [Redaction – Section 38(1)(b)] , Team Leader LfS & Outdoor Learning [Redaction – Section 38(1)(b)] , LfS & Outdoor Learning [Redaction – Section 38(1)(b)] , LfS & Outdoor Learning [Redaction – Section 38(1)(b)] , Economic Advisor (Education) [Redaction – Section 38(1)(b)] , Economic Advisor (Education) [Redaction – Section 38(1)(b)] , SGLD [Redaction – Section 38(1)(b)] , SGLD SGLD School Education [Redaction – Section 38(1)(b)] , Parliamentary Counsel [Redaction – Section 38(1)(b)] , Parliamentary Counsel

PLU Bill Programme

[Redaction – Section 38(1)(b)], PLU

[Redaction – Section 38(1)(b)], PLU

[Redaction – Section 38(1)(b)], PLU

[Redaction – Section 38(1)(b)], SG Finance

[Redaction – Section 38(1)(b)], SG Finance Business Partner
(Educ)

SpAds Admin

[Redaction – Section 38(1)(b)] (Special Advisor)

[Redaction – Section 38(1)(b)] (Special Advisor)

[Redaction – Section 38(1)(b)] (Special Advisor)

[Redaction – Section 38(1)(b)] (Special Advisor)

SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL

DRAFT FINANCIAL RESOLUTION

Shona Robison: Schools (Residential Outdoor Education) (Scotland) Bill: Financial Resolution - That the Parliament, for the purposes of any Act of the Scottish Parliament resulting from the Education (Residential Outdoor Education) (Scotland) Bill, agrees to any increase in expenditure payable out of the Scottish Consolidated Fund in consequence of the Act.

Attachment 30: Schools (Residential Outdoor Education) (Scotland) Bill - Stage 2 - Ministerial Meeting w-Liz Smith MSP 18-9 - Briefing FINAL - submitted 18 Sept

What	Meeting with Liz Smith MSP to discuss the Schools (Residential Outdoor Education) (Scotland) Bill
When	Thursday 18 September 2025, 16:30-17:00
Where	Room TBC, Scottish Parliament
Who	Liz Smith MSP (Scottish Conservative & Unionist Party, MSP for Mid Scotland and Fife)
Why	[Redaction – Section 29(1)(b)]
Official support	Lewis Hedge (Deputy Director, Curriculum & Qualifications) [Redaction – Section 38(1)(b)] (Team Leader, LfS & Outdoor Learning)
Potential Area(s) of Interest	There is no fixed agenda for this meeting, but it is proposed that discussion prioritises setting out Government’s initial expectations for Stage 2 amendments and engagement between Government and the Member in Charge, should the Bill progress.
Main objective(s)	[Redaction – Section 30(b)(i)]
Briefing contents	Item 1: Government expectations for Stage 2 Annex A: Initial Proposals for Potential Stage 2 Amendments

CABINET SECRETARY FOR EDUCATION & SKILLS, MINISTER FOR CHILDREN, YOUNG PEOPLE AND THE PROMISE: MEETING WITH LIZ SMITH MSP

ITEM 1	Government's expectations for Stage 2 [Redaction – Section 30(b)(i)]
Issue/ background	<p><u>Proposed Handling Approach</u> [Redaction – Section 29(1)(b)] [Redaction – Section 30(b)(i)] [Redaction – Section 30(b)(ii)]</p> <p>[Redaction – Section 30(b)(i)] [Redaction – Section 30(b)(ii)] [Redaction – Section 30(b)(i)]</p> <p>Annex B provides an overview of initial potential Stage 2 amendments as originally developed in the summer, updated to reflect status of discussions following your engagement on 1 July.</p> <p>[Redaction – Section 30(b)(i)] [Redaction – Section 29(1)(a)] [Redaction – Section 30(b)(i)]</p> <p><u>Government support to a Member in Charge</u> [Redaction – Section 29(1)(a)]</p>
Key message(s)	<ul style="list-style-type: none"> • Government recognises the work undertaken by Liz Smith MSP to date to attempt to address outstanding concerns, but there are significant issues that have not been addressed. • [Redaction – Section 29(1)(a)] Government will confirm its position on whether to lodge a motion for a Financial Resolution by 26 September.
Suggested questions or speaking points	[Redaction – Section 30(b)(i)]
Contact	[Redaction – Section 38(1)(b)], Team Leader LfS & Outdoor Learning

INITIAL PROPOSALS FOR POTENTIAL STAGE 2 AMENDMENTS
[as provided on 30 June, updated to reflect discussion with Liz Smith MSP, 1
July]

[Redaction – Section 29(1)(a)]

**Attachment 31: Schools (Residential Outdoor
Education) (Scotland) Bill - Stage 2 - Further Note to
FM - Outcome of Liz Smith MSP Meeting 18 Sept –
Draft**

From: Minister for Children, Young People & The Promise
XX September 2025

First Minister

**SCHOOLS (RESIDENTIAL OUTDOOR EDUCATION) (SCOTLAND) BILL:
FURTHER UPDATE ON HANDLING**

[Redaction – Section 29(1)(b)]

**Attachment 32: Schools (Residential Outdoor
Education) (Scotland) Bill - Stage 2 - Parliamentary
Statement Financial Resolution - Briefing - 24 Sept**

What	Parliamentary Statement on “Improving Provision and Access to Residential Outdoor Education for Children and Young People in Scotland”
When	24 September, 14:50-15:20
Where	Chamber, Scottish Parliament
Who	Members of Parliament
Why	To confirm Government’s formal position to lodge a motion for a Financial Resolution for the Schools (Residential Outdoor Education) (Scotland) Bill, enabling it to progress to Stage 2 proceedings; and to set out Ministers’ expectations for Stage 2 handling discussed with the Member in Charge.
Key messages	<ul style="list-style-type: none">• Government is committed to supporting outdoor learning, and recognises the unique and important role played by residential outdoor education in a young person’s development. This is reflected in our Learning for Sustainability Action Plan.• I welcome Liz Smith’s leadership in raising awareness of the value and benefit of residential outdoor education for pupils.

MINISTER FOR CHILDREN, YOUNG PEOPLE AND THE PROMISE

Briefing for PARLIAMENTARY STATEMENT ON RESIDENTIAL OUTDOOR LEARNING

	<ul style="list-style-type: none"> • This is an opportunity to improve consistency in the provision and access to impactful experiences for our children and young people. • Government has listened to and respects the will of Parliament, and after careful and full consideration, we have lodged a motion for a Financial Resolution for Liz Smith’s Members Bill. • The Member in Charge has committed to working with Government to inform amendments at Stage 2. • Parliament now has a responsibility to ensure the Bill is affordable and deliverable.
Speech details	Parliamentary Statement 10 minutes, followed by up to 20 minutes of questions
Official support	Lewis Hedge, Deputy Director Curriculum & Qualifications lewis.hedge@gov.scot [Redaction – Section 38(1)(b)], Team Leader LfS & OL [Redaction – Section 38(1)(b)]@gov.scot
Media handling	Comms will post a clip of the statement on social media, with a link to the full statement text (to be posted on the SG website). Comms will monitor media activity in the run up to, on the day of and following the statement.
Dress code	Formal
Briefing contents	<p><u>Speaking Notes:</u> Statement (attached separately)</p> <p><u>Section 1: Key Issues Potential Q&A</u></p> <p>Annex A: <u>Summary of Preferred Stage 2 Handling Approach</u></p> <p>Annex B: <u>Financial Concerns: Affordability & Clarity on Costs</u></p> <p>Annex C: <u>Deliverability Concerns: Equity of Provision</u></p> <p>Annex D: <u>Deliverability Concerns: Workforce Implications</u></p> <p>Annex E: <u>Criticism of Government Handling of the Financial Resolution</u></p> <p><u>Section 2: Additional Briefing</u></p> <p>Annex F: Timeline of Activities Following Stage 1</p> <p>Annex G: Key Points Raised at Members’ Debate 9 September</p> <p>Annex H: SG Support for Outdoor Learning & ROE: Top Lines</p>

SUMMARY OF PREFERRED STAGE 2 HANDLING APPROACH

KEY ISSUES

- **[Redaction – Section 29(1)(b)]**
- On 18 September, you and the Cabinet Secretary for Education & Skills met Liz Smith MSP to discuss preferred handling. **[Redaction – Section 30(b)(ii)]**
- In its Stage 1 Report (published 4 February 2025), the Education Committee **concluded the Bill should only progress subject to identified concerns on affordability and deliverability being addressed.** These issues remain outstanding, therefore Parliament has a responsibility to ensure the Bill is fit for purpose, should it become law.
- **Note:** In its Stage 1 Report, the Education Committee set out **recommended actions for Government to undertake ahead of Stage 2**, should the Bill pass the Stage 1 vote. Government's response to the Stage 1 Report was submitted to Committee on 26 March, acknowledging the recommendations. **Committee recommendations** related to: e.g. improving **data gathering** on existing provision; exploring how to ensure **sector capacity** to meet the needs of all pupils, including those with ASN; exploring alternative **sources of funding**; and views on the **position of SNCT** on changes to teacher contracts if the Bill progresses. **[Redaction – Section 30(b)(i)]**

The Scottish Government will work closely with Liz Smith, as the Member in Charge, as she leads efforts to improve her Bill so it supports equity in provision, and is affordable and deliverable, should it become law.

- A number of outstanding issues remain to be addressed by the Member in Charge, which we have discussed at length following conclusion of Stage 1.
- To address these, next steps must include further focused engagement with teacher trade unions, COSLA and the wider outdoor education sector, amongst others. Importantly, amendments to reduce the overall costs of the provisions, and a change in commencement must be brought forward.
- Liz Smith has committed to work with Government on these points, and should Parliament vote in favour of the motion for a Financial Resolution tomorrow, she and I will agree the details of a work-plan for Stage 2.

Parliament has a responsibility to ensure that this legislation is fit for purpose.

- Government is prepared to do its part to help improve this Member's Bill, reflecting the will of Parliament to see this legislation progress. The onus now

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rests with Members to work with Liz Smith, and Government, to agree suitable compromises in approach to make this workable, should it become law.

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POTENTIAL Q&A

DOES GOVERNMENT HAVE A POSITION ON THE MEMBER'S PROPOSALS?

- The Government's position is that proposals in this space must be affordable, support equity particularly for pupils with ASN and, for deliverability, give due consideration to the expectations placed on teachers to organise and take part in residential trips.
- The proposals brought forward by Liz Smith MSP to adopt a transitional (or phased) approach to delivery, alongside potentially targeting of funding to support primary school pupils with ASN and those in deprived circumstances, are welcomed in this regard. I also value the insights the Member has shared from her engagements with centres.
- However, the total costs cited in the Financial Memorandum are extensive and, according to Government analysis, underestimate the total potential cost of the Bill as introduced.
- As the Bill progresses, these are all key considerations that must now be front and centre as Parliament scrutinises the provisions and potential amendments at Stage 2, to ensure the Bill is fit for purpose, affordable and deliverable.

WHY HAS GOVERNMENT NOT PRODUCED ITS OWN PROPOSALS TO DATE?

- I do not agree with the premise of this question.
- For a start, the 2023 Learning for Sustainability Action Plan is delivering progress on a range of important enabling measures to support outdoor learning in the round, and as part of a whole-school approach.
- Regarding this Bill, I discussed areas for potential Stage 2 amendments with Liz Smith MSP as early as the 1 July, at which time she indicated she would be open to a potentially more targeted approach to funding (rather than universal) and a change in commencement provisions.
- As I have indicated, we have more recently discussed and come to a shared agreement that Liz Smith will work with Government on amendments to ensure that provisions are affordable and deliverable, should Parliament pass the motion for a Financial Resolution tomorrow.
- Specifically, we discussed the possibility of an amendment to remove the duty to fund that would be placed on Ministers, in recognition that this would create greater flexibility for alternative funding sources to be drawn on to support provision across local authorities and schools.
- These are all matters for further deliberation, which I am sure Members across this Chamber will also have views on.

DOES GOVERNMENT INTEND TO DO MORE WORK ON A PILOT APPROACH?

- As part of our considerations following Stage 1, Government has been exploring what a pilot approach to delivery of a more targeted approach might look like, including indicative cost modelling, which I have shared with Liz Smith.

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- Assuming that Parliament passes the motion on the Financial Resolution tomorrow allowing the Bill to progress, this work could be essential in helping to address some of the outstanding issues relating to affordability and deliverability.
- For example, to help fill known gaps in data on a range of factors, from sector readiness requirements, to better understandings of potential workforce implications, and more refined cost estimates associated with support the participation of pupils with additional support needs, transport provision etc.

WILL GOVERNMENT GENUINELY SUPPORT LIZ SMITH AT STAGE 2?

- Parliament has a responsibility to ensure that any legislation that progresses is affordable and deliverable. Certainly, I can assure this Chamber that Government will do its part to help achieve this concerning Liz Smith's Bill.
- As I have indicated, both I and the Cabinet Secretary for Education & Skills have already discussed potential next steps in handling with Liz Smith on this basis.
- Noting that this would remain a Members' Bill – not a Government-led Bill – we have reached an understanding on how the Member in Charge will work with Government to best ensure we can support any amendments brought forward.
- I have been open in offering my support as Minister to undertake certain shared engagements where helpful, and the support of my officials will be made available, as appropriate, to shape further policy development and analysis.
- These are not insignificant commitments, and I would fully expect the Member in Charge to keep Parliament abreast of key developments as this work proceeds – something which I would also be happy to help inform.

WILL YOU WORK WITH LIZ SMITH TO DEVELOP AN APPROACH TO ASSESS SECTOR CAPACITY AS RECOMMENDED BY THE LEAD COMMITTEE?

Stage 1 Committee Report Recommendation: Should the Bill pass Stage 1, the Scottish Government and the Member in Charge are invited to consider and come forward with an approach prior to Stage 2 that sets out how best to assess the capacity of the existing residential outdoor education sector, in particular the sector's ability to accommodate and meet the needs of ASN pupils.

Stage 1 Committee Report Recommendation: Scottish Government should undertake work to establish whether the capacity and facilities of outdoor centres available to Scottish schools matches the needs of all pupils, how any gaps can be addressed and whether the Bill could result in increased financial pressures for outdoor centres.

- Government shares the Education Committee's concern that capacity of the sector to respond to the demands of this Bill is unclear. I understand that COSLA are of a similar view at present. And I have previously discussed capacity with AHOEC and The Outward Bound Trust.
- Earlier this year Government undertook an initial sectoral analysis, supported by the Association of the Heads of Outdoor Education Centres (AHOEC), to develop indicative insights into current sectoral readiness, if the Bill progressed.
- There is some evidence from this initial work that the overall number of beds, or capacity, has reduced across some centres that participated in the survey and I

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remain concerned that there is currently very limited capacity to host pupils with complex and/or multiple support needs.

- This is one reason why a change to commencement must be considered at Stage 2 – we must ensure the sector has sufficient time to build readiness to respond to the demands of this Bill, should it become law.
- What this means in practice is something that must be informed by further discussion with both sector representatives and other key delivery partners.

WHAT IS GOVERNMENT DOING TO IMPROVE DATA ON PROVISION?

Stage 1 Committee Report Recommendation: Scottish Government must work with COSLA and local authorities on ensuring data is collected in relation to residential outdoor education provision across Scotland, in order to identify and address any inequalities arising from current practice.

- The issue of a lack of robust and consistent data on current levels and forms of provision of residential outdoor education across Scotland is an important point to be addressed, which I welcome scrutiny of this Bill having helped to highlight.
- Of course, local authorities are responsible for running schools and individual schools and teachers make decisions on the residential outdoor learning experiences that they offer to pupils. So data collection and monitoring and evaluation require a system-wide approach.
- Good practice approaches and insights on provision of outdoor learning, including residential, are already available through various channels.
- For example, through Education Scotland's on-going work to support practitioners to access new case studies and wider resources on Learning for Sustainability, our report on PEF delivery that published in May, and thematic inspections by HMIE, such as that published in 2022 on outdoor learning.
- I set out considerations around use of data systems such as EVOLVE to help gather data on residential in my letter to the Education Committee on 13 December. This includes, for example, any annual costs that local authorities would need to pay to access and use the system, software adaptability to provide desired functionality for schools, and potential impacts on teacher engagement in provision of residential associated with a new data input requirement.
- Any activity to improve data gathering would also need to take account of any approach to inspection of outdoor education that may be set out by the His Majesty's Chief Inspector of Education in Scotland as part of their inspection plan, as per the new Education (Scotland) Act.
- Should Parliament pass tomorrow's motion on the Financial Resolution, these are exactly the sorts of considerations that I will be looking to further discuss with Liz Smith as we look ahead of potential amendments around commencement, for example.

WILL YOU MEANINGFULLY EXPLORE OTHER FUNDING APPROACHES?

Stage 1 Committee Report Recommendation: Scottish Government should continue to liaise with the Member in Charge to explore alternative funding options, such as a public trust funding model, in a meaningful way.

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- Ministers are not opposed to innovative approaches to funding, particularly in the current fiscal context, and if these help bridge wider societal and economic support for the education of our young people.
- However, relying on third party funding to deliver statutory duties – as originally proposed by Liz Smith – is not a viable approach. Certainly, a reliance on private financial contributions to raise sufficient funding for equitable access to what would be viewed as extra-curricular entitlements across all local authorities is unprecedented.
- In a statutory context, Government would still need to provide sizeable financial support to meet delivery requirements of the legislation in the absence of sufficient financial contributions.
- This would create uncertainty as to the funding that would be required from Government in any given year, which is not practicable – Ministers would remain responsible for underwriting all costs.
- However, Ministers have had a productive discussion with Liz Smith around the possibility of alternative funding sources being considered to further support capital investment for improvements across the existing outdoor education estate. And, indeed, were an amendment agreed to remove the duty on Ministers to fund provision, this could open up greater flexibility for a wider range of funding sources to be explored.
- These are all points for further in-depth consideration.

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BACKGROUND BRIEFING

Summary of Key Proposals for Stage 2 Amendments

Discussed with Liz Smith MSP on 1 July and 18 September.

[Redaction – Section 29(1)(a)]

Key Insights SG / AHOEC Sector Survey (Spring 2025)

During Spring 2025 the Association of Heads of Outdoor Centres (AHOEC) assisted Scottish Government by surveying their members on a number of key evidence gaps related to the Bill. Responses were received from 23 centres.

Key findings:

- **Some evidence that available beds/ capacity has reduced within some centres.** This may be due to downsizing or the closure of specific buildings within the centre. Regaining this lost capacity would need capital investment.
- **No centre reported a need for immediate capital investment for survival.** The current buildings were reported as being largely in satisfactory or better condition, with only 2 of 23 respondents describing the condition of their own facilities as poor.
- **Some centres identified capital investment needs that were aspirational but also important for longer-term survival of the centre.** They are also aligned to improving the quality of provision and not just providing the bare-minimum level of provision.

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- **Fee charges per pupil are broadly consistent with earlier estimates used in cost modelling, although there are a significant range of prices.** Therefore, a national average price may overestimate costs for some schools and vice versa.
- **Costs to centres are often higher than the prices charged for visits.** In follow-up conversations with AHOEC co-ordinator Nick March he stated that this consistent with the charitable nature of some centres.

Business model sustainability:

Across much of the sector, school residential visits are subsidised by other activities such as charitable donations, government funds or other more profitable activities which take place at centres. The success of these funding streams has as much impact on the survival of a centre as the number of residential visitors and the revenue raised from this. **[Redaction – Section 30(b)(i)]**

**Contact: [Redaction – Section 38(1)(b)], Education Analytical Service (EAS)
[Redaction – Section 38(1)(b)]@gov.scot**

FINANCIAL CONCERNS: AFFORDABILITY & CLARITY ON COSTS

KEY ISSUES

AFFORDABILITY

- In her letter dated 31 July, Liz Smith MSP details **revised cost modelling** for targeted provision across all primary children [P6 or P7] in receipt of the Scottish Child Payment and/or pupils with Additional Support Needs (ASN). This produces a cost range of between **£15,289,000 to £16,832,000** (adjusted for inflation for delivery from 2027/28).
- In her letter dated 12 August, Liz Smith MSP criticised Government for not having yet set out **what an “affordable” level of costs is for her Bill**. Liz Smith MSP further raised this point during your meeting on 18 September, with a view to working with Government at Stage 2 on amendments.
- **[Redaction – Section 30(b)(i)]**
- **[Redaction – Section 29(1)(b)]** These considerations would need to form part of Scottish budget negotiations.
- Note: Affordability and cost considerations were similarly a feature of Stage 1 scrutiny of Sam Rowlands’ MS Member’s Bill on Residential Outdoor Education introduced to the Welsh Parliament in 2023. The Welsh Government argued in its written Stage 1 evidence that the Bill would lead to “significant and unnecessary additional pressure on education budgets” and was “unaffordable”. The Bill fell at the Stage 1 vote in April 2024.

CLARITY ON TOTAL COSTS

- It remains **unclear what the total potential costs of the Bill are**, whether in an amended targeted form or as introduced, in particular as relate to transport, provision for pupils with ASN, and staffing. There are analytical caveats to latest revised cost modelling provided by Liz Smith MSP on 31 July, in particular related to transport costs and provision for pupils with ASN.
- There are limitations around the extent to which some costs can be fully and robustly modelled due to sparsity of nationally representative data held at the school level, and complexities involved (e.g. how the need for staff cover or service adjustments for pupils with complex needs are very context specific).
- Should the Bill become law, this **risks exposing Ministers to an unknown future potential cost** that may exceed existing estimates.

The Bill is unaffordable as introduced – should the motion for a Financial Resolution be passed tomorrow, Parliament must make good on its responsibility to ensure the provisions are affordable to the public purse.

- Liz Smith has agreed to work with Government to bring forward amendments to reduce the overall costs of the provisions.

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- But any new spending requirements stemming from this legislation, should it become law, will necessarily need to form part of Scottish budget negotiations.

There remains a lack of clarity around the full potential costs of the Bill.

- In part, this is due to limited data available relating to transport and costs to support pupils with additional support needs.
- Total potential costs are also dependent on the staffing implications being fully understood and I – like COSLA – remain unconvinced by Liz Smith’s assumption that the current reliance on teachers’ voluntary participation would be robust at scale in the presence of a legislative requirement.
- I am reassured by the Member in Charge’s willingness to lead further work – supported by Government, as appropriate – to engage key stakeholders around these considerations, but Parliament must do its part to ensure we do not find ourselves in a scenario where new legislation is enacted that risked exposing the Scottish Budget to an unknown future recurring pressure that could exceed existing estimates.
- This would be a failure of rigorous and robust Parliamentary scrutiny to ensure the development of affordable and deliverable legislation.

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POTENTIAL Q&A

WHAT LEVEL IS AFFORDABLE?

- Clearly, introducing new duties to fund in the current financial context forces difficult choices about what to defund in order to accommodate new expenditure. Liz Smith has not offered any suggestions about what Government priorities should be stopped in preference for residential outdoor education when Ministers bring forward a budget for this Parliament’s consideration.
- This difficulty is compounded by the fact that the total potential costs of the provisions remain unclear, due to outstanding gaps in the data available and assumptions underpinning the proposed delivery approach.
- As this Bill progresses to Stage 2, it will be imperative that Parliament gives full and proper consideration to amendments that reduce the costs of the provisions.
- As I have highlighted, Ministers have discussed this with Liz Smith and she is committed to working with Government to achieve this.

WHY HAS GOVERNMENT NOT DONE WORK TO ESTIMATE COSTS?

- Despite this not being a government-supported Bill I did ask officials to do some work to aid our assessment, which I also shared with Liz Smith.
- As early as Spring, Government worked with the sector to better understand deliverability of the Bill based on current capacity. This provided early insights on potential capital investment requirements of some centres that may align with improving quality of provision.
- Working with Education Scotland, we have also engaged the National Complex Needs Network on the Bill, with insights suggesting that effective provision of residentials for some pupils with severe disabilities can, in some cases, exceed £1000 per pupil.
- In May I shared with Liz Smith the Government’s analysis, and caveats, that informed our revised higher cost estimates for delivery of the Bill, as introduced.

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- Following receipt in July, I have considered, in detail, the further cost modelling for a targeted approach produced by Liz Smith and shared Government's early estimates for a similarly targeted pilot approach.
- However our understanding of total costs remains limited at this time.

[IF PRESSED]

- As Government highlighted in our Stage 1 Report response on 26 March, the degree to which some costs can be modelled for is complex – for example, the many variables relating to costs to support pupils with complex and/or multiple support needs in different circumstances.
- Significant new data gathering and analysis is needed to better inform financial modelling around the Bill, which takes time. A pilot approach could help with this.

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BACKGROUND BRIEFING

AFFORDABILITY

SG estimates of the potential financial costs of the Bill, as introduced, suggest an annual cost of the Bill ranging from **£24.8 million to £41.5 million** (assuming 2026/27 as Year 1 roll out). This is likely an underestimate due to outstanding gaps in cost variables.

As of 31 July, Liz Smith MSP proposes potential amendments that would seek to more narrowly target funding support for “all primary children [across P6 or P7] in receipt of the Scottish Child Payment and/or with an additional support need” only. In this scenario, Liz Smith MSP estimates a revised annual cost for delivery of the Bill of **£15,289,000 to £16,832,000 per annum. This would represent a reduction of £5.1 million to £17.1 million from her initial estimates in the Financial Memorandum of 20 June 2024.**

CLARITY ON TOTAL POTENTIAL COSTS

11)Transport

- Both the Financial Memorandum and revised costings provided by the Member in Charge to Government on 31 July are based on a misunderstanding of a table presented on a single coach hire website. **[Redaction – Section 30(b)(i)]**.
- There remains a lack of clarity around potential variability of transport costs across different geographic regions, including for rural / remote rural and island based schools, and appropriate modelling to reflect this.

12)Staffing

- The Financial Memorandum accompanying the Bill at introduction assumes that delivery of the provisions would continue to operate on a goodwill, or voluntary basis across teachers in terms of their own participation in residential visits.
- Liz Smith MSP has more recently presented proposals to target provision across P6-P7 pupils – suggesting that this would reduce the number of pupils involved in residential and hence this would reduce pressures on teachers. But it is unclear

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how staff costs have been treated in this revised modelling, and it does not appear that Liz Smith MSP has changed her view that delivery could continue to operate on a voluntary basis (zero cost).

13) Support pupils with complex and/or multiple support needs

- Liz Smith MSP has assumed up to £1.5 million additional finance to support between 212-225 pupils with complex and/or multiple support needs across P6-P7 within her revised cost modelling for a targeted approach.
- **[Redaction – Section 30(b)(ii)]**, and the assumption around the number of pupils across which it would be divided is based solely on pupils attending Special Schools. Not all pupils with complex and/or multiple support needs will attend a Special School and relevant data currently collected on Scottish pupils does not lend itself easily to estimating how many pupils will require adjustments to take part in ROE visits. This means there remains a degree of uncertainty over appropriateness of these figures. Again, to address these concerns would require substantive data gathering and analysis.

14) Other potential ancillary costs

- The Financial Memorandum does not include other associated costs to deliver the Bill such as: insurance, spare clothing, training and admin costs.
- It also does not include potential capital costs to upgrade or retrofit existing outdoor education centres to ensure the facilities are of sufficient quality and capacity to provide the level of provision required.
- In her letter dated 31 July, Liz Smith MSP acknowledges that some outdoor education centres are in “much need of capital upgrades”, such as Adroy and Broomlee. The Member refers to potential opportunities for “formal collaboration between the public and private sectors” around infrastructure provision.

ANNEX C

OUT OF SCOPE

ANNEX E

CRITICISM OF GOVERNMENT HANDLING OF THE FINANCIAL RESOLUTION

KEY ISSUES

- During the Member's Debate on 9 September, concern was expressed by opposition Members that should Government not bring forward a Financial Resolution this handling approach would **undermine all Member's Bills** and **did not reflect the will of Parliament** with respect to Liz Smith's Bill.
- At your appearance at Committee on 10 September, it was suggested that **Government's handling to date** around the Financial Resolution (delaying confirming a position, potentially interpreted as reflecting an intention to time the Bill out or confirm a decision not to lodge a FR) **suggested we did not support the Bill**.
- In your meeting with Liz Smith MSP on 12 August, the **Member emphasised her frustration at Government's handling** following Stage 1, noting that this concern was shared amongst other Members, and that the Presiding Officer **had concerns about "implications for Parliamentary procedure"**.
- Note: Government did not lodge a motion for a Financial Resolution ahead of conclusion of Stage 1 for the Period Products (Free Provision) (Scotland) Bill in Session 5 – at the time, Ministers agreed to continue discussions after Stage 1 to seek agreement across political parties on the detail of the Bill, including financial implications, to allow improved cost estimates to be produced – a motion for a Financial Resolution was agreed.
- Note: Similar processes to the Financial Resolution exist across other jurisdictions, including the UK Government, which made use of the money resolution process for the Parliamentary Constituencies (Amendment) Bill 2017–19 Private Member's Bill introduced by Afzal Khan MP (Labour).

Government has given careful and full consideration to the Financial Resolution for Liz Smith's Bill, and has listened to and respects the will of Parliament to see this Bill progress. Parliament now has a responsibility to ensure the Bill is affordable and deliverable.

- The time taken from conclusion of Stage 1 for Government to now confirm that we will be bringing forward a motion for a Financial Resolution reflects the importance and complexities involved in fully considering this matter.
- The Financial Resolution is a legitimate and important process that ensures Ministers can exercise their unique responsibility and accountability for appropriate management of the Scottish budget.

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- I have engaged consistently with Liz Smith throughout the period taken to reach this point, and the outputs of those discussions – as well as wider engagements with other opposition Members, COSLA, ADES and teacher trade unions – have been taken into account in informing our decision on the Financial Resolution.
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POTENTIAL Q&A

WHY FOCUS ON DELIVERABILITY ISSUES NOT RELEVANT TO THE FINANCIAL RESOLUTION?

- I am clear that the principle focus the Government’s deliberations around the Financial Resolution for this Bill have centred on the costs of the provisions.
- However, in exploring total potential costs it has been necessary to understand wider deliverability challenges because these can directly influence the range and types of costs that may need considered.
- For example, pupils with complex and/or multiple support needs may in some cases need intimate care, which could require a higher number of staff per pupil, as well as specialised transportation and facilities.
- Transport costs may also be higher than average for pupils with additional support needs and those living in areas with lower levels of private transport provision, such as in rural areas.
- These factors are either not considered at all, or not robustly modelled for in the Financial Memorandum.
- In now lodging a motion for a Financial Resolution for this Bill, Government looks to Parliament to make good on its responsibility to ensure that the legislation is affordable and deliverable, in line with the concerns raised by the lead Education Committee in its Stage 1 report.

WHY DID GOVERNMENT TAKE SO LONG TO CONFIRM POSITION?

- The Financial Resolution is a legitimate and important process that ensures the Ministers can exercise their unique responsibility and accountability for appropriate management of the Scottish budget.
- The Scottish Parliament’s Guidance on Public Bills Section 2.39 makes clear that “to give effect to the established principle that the executive arm of government has a unique responsibility in relation to the management of public funds [...] the Scottish government must maintain control both over the raising of revenue and over public spending [...]”
- In exercising this responsibility, Ministers have taken the appropriate length of time to fully consider the potential financial implications of the Bill.
- Indeed, I have met and exchanged correspondence with the Member in Charge on a number of occasions following the end of Stage 1 in March.
- I have also spoken with other Members on this Bill, and sought additional insights from key delivery partners in response to outstanding concerns, including COSLA and teacher trade unions. My officials have also regularly engaged ADES.
- I have undertaken these engagements to better understand the implications of the legislation, and to explore with partners their views on affordability and deliverability in response to both Government’s concerns and the lead Education

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Committee's own conclusions at Stage 1 that the Bill should only progress if outstanding challenges are addressed.

- However, Government has listened to and respects the will of Parliament, and that is why we have lodged the motion for a Financial Resolution today.

OUT OF SCOPE

ANNEX G

OUT OF SCOPE

OUT OF SCOPE

Attachment 33: Schools (Residential Outdoor Education) (Scotland) Bill - Motion - speaking points - 25 Sept 2025

[Out of scope]

CRITICISM OF GOVERNMENT HANDLING OF THE FINANCIAL RESOLUTION

Government has given careful and full consideration to the Financial Resolution for Liz Smith’s Bill, and has listened to and respects the will of Parliament to see this Bill progress. Parliament now has a responsibility to ensure the Bill is affordable and deliverable.

- The time taken from conclusion of Stage 1 for Government to now confirm that we will be bringing forward a motion for a Financial Resolution reflects the importance and complexities involved in fully considering this matter.
- The Financial Resolution is a legitimate and important process that ensures Ministers can exercise their unique responsibility and accountability for appropriate management of the Scottish budget.
- The Minister for Children, Young People and the Promise has engaged consistently with Liz Smith throughout the period taken to reach this point, and the outputs of those discussions – as well as wider engagements with other opposition Members, COSLA, ADES and teacher trade unions – have been taken into account in informing our decision on the Financial Resolution.

WHY DID GOVERNMENT TAKE SO LONG TO CONFIRM POSITION?

- The Financial Resolution is a legitimate and important process that ensures the Ministers can exercise their unique responsibility and accountability for appropriate management of the Scottish budget.
- The Scottish Parliament’s Guidance on Public Bills Section 2.39 makes clear that “to give effect to the established principle that the executive arm of government

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has a unique responsibility in relation to the management of public funds [...] the Scottish government must maintain control both over the raising of revenue and over public spending [...].”

- In exercising this responsibility, Ministers have taken the appropriate length of time to fully consider the potential financial implications of the Bill.
- Indeed, The Minister for Children, Young People and the Promise has met and exchanged correspondence with the Member in Charge on a number of occasions following the end of Stage 1 in March.
- The Minister for Children, Young People and the Promise has also spoken with other Members on this Bill, and sought additional insights from key delivery partners in response to outstanding concerns, including COSLA and teacher trade unions. Officials have also regularly engaged ADES.
- These engagements were necessary to better understand the implications of the legislation, and to explore with partners their views on affordability and deliverability in response to both Government’s concerns and the lead Education Committee’s own conclusions at Stage 1 that the Bill should only progress if outstanding challenges are addressed.

[Out of scope]

FINANCIAL CONCERNS: AFFORDABILITY & CLARITY ON COSTS

The Bill is unaffordable as introduced – should the motion for a Financial Resolution be passed tomorrow, Parliament must make good on its responsibility to ensure the provisions are affordable to the public purse.

- Liz Smith has agreed to work with Government to bring forward amendments to reduce the overall costs of the provisions.
- But any new spending requirements stemming from this legislation, should it become law, will necessarily need to form part of Scottish budget negotiations.

There remains a lack of clarity around the full potential costs of the Bill.

- In part, this is due to limited data available relating to transport and costs to support pupils with additional support needs.
- Total potential costs are also dependent on the staffing implications being fully understood and the Government – like COSLA – remains unconvinced by Liz Smith’s assumption that the current reliance on teachers’ voluntary participation would be robust at scale in the presence of a legislative requirement.
- I am reassured by the Member in Charge’s willingness to lead further work – supported by Government, as appropriate – to engage key stakeholders around these considerations, but Parliament must do its part to ensure we do not find ourselves in a scenario where new legislation is enacted that risked exposing the Scottish Budget to an unknown future recurring pressure that could exceed existing estimates.
- This would be a failure of rigorous and robust Parliamentary scrutiny to ensure the development of affordable and deliverable legislation.

[OUT OF SCOPE]

[OUT OF SCOPE]