

Policy Papers Relating  
to Minutes of Council  
2021-2022



## Contents

Title	Page No.
<b>Executive Papers</b>	
UMF Report 2021 Council 09.21 Item For Information	1
Report of 'Clawback of PEF Funding' Council 09.21 Item For Information	7
Supporting Supply Teacher Members: National Online Supply Network Council 09.21 Item For Information	17
EIS Reps Training Pathways Council 09.21 Item For Information	21
Member Survey Council 11.22 Item For Information	24
Social Media Council 01.22 Item For Information	61
Education for Peace Working Group – Outputs Council 03.22 Item 3.(1)(d)	68
Land Value Tax and Financial Transaction Council 03.22 Item 3.(2)(k)	99
Pursuing an Industrial Action Strategy to Frustrate or Stop HMIE Inspections Council 03.22 Item 3.(2)(m)	106
Local Government Elections Manifesto & Campaign Council 03.22 Item For Information	108
Combating Fake News & Disinformation Council 05.22 Item Item 3.(2)(i)	110
Confucius Institutes and Classrooms Council 05.22 Item For Information	117
<b>Education Papers</b>	
OECD Review of CfE - Main Findings and Brief Commentary Council 09.21 Item For Information	139
EIS Advice on the Resumption of Education Scotland Scrutiny Activity Council 11.21 Item For Information	149

EIS Submission to the Education, Children and Young People Committee on the Impact of Covid on Children and Young People with Additional Support Needs/ Who Are Care Experienced Council 01.22 Item For Information	154
EIS Response to the Scottish Government Stakeholder Consultation 'Getting it right for every child (GIRFEC) Refresh – Practice Guidance' Council 01.22 Item For Information	160
EIS Response to GTCS Consultation on Registration Rules Council 01.22 Item For Information	179
EIS Submission to the Muir Review Council 01.22 Item For Information	202
EIS response to call for views from the Scottish Parliament Children and Young People Committee on the impact of the Scottish attainment Challenge Council 03.22 Item For Information	232
EIS views on the Scottish Parliament Report on the Impact on Children and Young People and the impact of Covid on their Education Council 05.22 Item For Information	240
Mobile Devices in Education Report on Member Survey on the Use of Digital and Mobile Devices and Mobile Phones & Briefing Paper Council 05.22 Item For Information	246
Flexible Route Probationers Council 05.22 Item For Information	277
Practitioners' Experiences of Remote Learning Council 05.22 Item For Information	286
Transition Advice P7 to Secondary April 2022 Council 05.22 Item For Information	299
Transition Advice Nursery to Primary April 2022 Council 05.22 Item For Information	301
Transition Advice Nursery to Primary (Special) April 2022 Council 05.22 Item For Information	303
Transition Advice P7 to Secondary (Special) April 2022 Council 05.22 Item For Information	305

Index Reference:

Guidance on Curriculum and Pedagogy (Early Years, Primary, Secondary, Special Primary and Secondary) (Initial publication August 2020) Revised ongoing April 2022, available on the EIS website

**Equality Papers**

EIS Briefing: Updated Guidance on Supporting Transgender Pupils in Schools  
Council 11.21 Item For Information 307

EIS Briefing on Digital Poverty – October 2021  
Council 01.22 Item For Information 318

EIS Briefing on Hunger and Food Insecurity – For Information  
Council 01.22 Item For Information 325

Scottish Government Cross-party Group on Poverty: Call for Written Evidence - EIS Submission  
Council 05.22 Item For Information 334

Briefing for Members on the Gender Recognition Act Reform Bill  
Council 05.22 Item For Information 344

**Salaries Papers**

Standardised Approach for References for Teachers  
Council 05.22 8.(1)(f) 350



## **Union Modernisation Fund Project: Nursery Teachers and Digital Working**

1. The EIS bid for funding from the Scottish Government's Trade Union Modernisation Fund (UMF) to match-fund a short-term project to engage and support our Nursery Teacher members and support digital working during the Covid pandemic was successful and Amy Moran was appointed as the Project Worker from March 2021 until July 2021.

### **Workstream 1 - Nursery Teacher members**

2. An element of the UMF project (2021) is to embed the outcomes of last year's successful UMF project by building on the work with nursery teachers in order to further develop a culture of engagement and confidence around their distinct professional identity and voice within and outwith the EIS in accordance with the principles of the Fair Work Framework.

### **Workstream 2 – Digital Working**

3. The second element of the UMF Project was to support members by engaging with them both directly and by developing digital resources and training to provide support to them from the centre. This support will be designed to inform and upskill members to better resolve the challenges they face from the impact of Covid-19 on their working lives for themselves. This work involved maintaining and supporting workers
4. The project was designed to strengthen the voice and campaigning ability of Nursery Teachers within Local Associations so that they can better advocate for their group at a local and ultimately national level. Furthermore, it was designed to effectively use digital resources to maintain and build support for the ongoing industrial action at a Scottish FE College that was closed to in-person teaching and EIS meetings.
5. A further element of the digital work was to produce a scoping paper to consider digital work and how the EIS may strengthen its digital work. The terms "digital" was defined within the review as "*Applying the culture, practices, processes and technologies of the internet era to respond to people's raised expectations.*"
6. The term "Digital" is thus not solely linked to the use of digital tools or technology or websites/social media/apps. The digital definition lists culture, practices and processes as well as technology. The first three things are about how we do things – i.e. behaviour. Digital working is as much about how we behave and how we work, as it is about using the latest technology. This definition of digital has since been adopted by the Government's Digital Service, the Charity Sector and by the TUC.

## **Project Inputs – Nursery Teacher Workstream**

7. The project worker worked closely with the National Officer (Education) to give additionality to ongoing work stated by the 2019-20 UMF Project, and with the Professional Learning Team within the Education Dept. The Project Officer assisted in the development and delivery of a national webinar on “Exploring the Impact of Teachers in Early Years’. Building on the networking opportunities which had been facilitated nationally through the webinars and the local Early Years Networks, all 32 Local Association Secretaries were contacted and asked to provide nominations for a formal national Early Years Network.
8. The Project Worker, along with members of the Education and Equality Department, met on three occasions with an academic and 2 EYTs from different local authorities to discuss the impact of EYTs in nursery settings, the additional support which can be given through organising to empower members and the role of professional learning in building a cohesive national network.
9. A mapping exercise was undertaken to chart the number of nursery teachers in each local authority, the nature of the provision (i.e. peripatetic or based on one setting), the ratio of nursery teachers to children supported, and whether there were any current emerging issues in relation to Early Years provision.
10. To facilitate and empower EYT members, all EIS Local Association Secretaries in 32 Local Authorities were asked to provide an update on the ongoing work to establish EIS Early Years Networks and key local contacts for these groups.
11. The Project Worker undertook desk research to analyse the data received from the Local Associations and from data published by the Scottish Government, to ascertain the level of access which children had to nursery teachers across Scotland and the areas where future support can be provided to local networks and Local Associations.
12. Flowing from this research, the Project Worker created interactive digital resources to highlight the significant decline in GTCS registered teachers in nursery since 2009.

## **Project Inputs – Digital Support Workstream**

13. The workstream had two large elements; working with EIS colleagues to support staff and representatives during the pandemic by the use of digital technology and by carrying out a review of the EIS digital technology and working.

14. The Project Worker supported the Institute's work with members during the period that school teachers were at home during the January to March 2021 lockdown. This involved supporting elected representatives, Organisers and the Organisation Dept during the latter part of the lockdown – especially with online support and online meetings.
15. The Project Worker worked with Forth Valley College EIS-FELA Branch who were in a process of industrial action (strike action) in pursuit of their dispute regarding the 'firing and rehiring' of lecturers during the pandemic. The ballot had been carried out at a time when the members were working from home and it, and the subsequent industrial, had to be maintained and built upon using digital technology as members were not in the workplace and unable to meet or organise in the traditional face to face manner.
16. The Project Worker coordinated the use of digital technology to allow members, branch officers and full-time officials to keep in close contact by online meetings, email and WhatsApp. The work was planned with the active involvement of the members and branch officials – and the campaigning steps and materials were shared with lay officials at FVC for checking. Online demos were developed for the FVC dispute which were an incremental development from our online webinar platforms that were familiar to members. This created a sense of momentum and collectivism during industrial action.
17. The project worker worked on targeting resources at members who had not voted or were perceived as being unconvinced – this was data driven, using data collected by lay reps. The campaign used MS Excel, shared using the cloud, to map and chart the branch. The Project worker and colleagues charted turnout for every structure test to build a picture of the strength of the union across the college. This allowed the campaign to target its efforts in the right place, and ultimately build the strength of the union in the workplace. The Project Worker trained and supported leaders to use MS Teams and WhatsApp to talk to their colleagues about why they should vote for strike action. The Project worker and the campaign team used phone calls and MS Teams to have regular one-to-one conversations with department leaders and support them to organise their colleagues.
18. The Project Worker was a key member of a team that used digital platforms strategically in the campaign in order to grow our contact list, developing a workplace petition, which included asking members to share their phone number and email address.
19. The Project Worker was asked to carry out a 'Digital Review that was informed by discussions with colleagues in the EIS and in other unions, including the NEU, Unison, and the TUC. As well as the TUC's 'Principles for digital transformation and the Charity Digital Code'.

## **Project Outputs**

20. The work done by the Project Worker in contributing to the YET Webinar contributed to its success, with over 130 delegates joining our online event to share their experiences of play pedagogy in the COVID context, framed and influenced by Scottish Government guidance and EIS advice and support. This was an important structure test to ascertain the effectiveness of the Nursery Teacher Network Project and whether EYTs were indeed engaging with the Union in a real way.
21. The Project Worker and National Officer (Education) have met with other Organisers within the EIS and with Local Association Secretaries to monitor and assess the impact of changes in delivery as a result of COVID-19 on Early Years provision. Advice has been given in relation to the options for future organising and campaigning to support meaningful access to EYTs in nurseries.
22. The Project Worker and National Officer (Education) have met with other EIS Organisers, EYT members and Local Association Secretaries to discuss the impact of the pandemic on Early Years provision and to chart the challenges which the falling number of GTCS registered teachers in nurseries presents. Discussion has highlighted the importance of continuing the campaign in this area and through a combination of local and national organising, building on the outcomes of this Project to further develop cohesion and a collective response to the declining numbers of nursery teachers.
23. To support an ongoing campaign, the Project Worker has completed desk research to quantify what 'access' to a nursery teacher means in practice. This research highlights the significant decline in the number of nursery teachers since 2009 and highlights that current 'access' cannot be meaningful, given the teacher: child ratio in local authorities.
24. The Project Worker has created an interactive digital resource and infographics to highlight the findings of the research and show on a geographical basis the limited contact which children have with teachers in the nursery setting. It is hoped that these resources will form part of the ongoing campaign to reverse the decline in the numbers of teachers in nurseries and in seeking to ensure that children have a guaranteed minimum access to a teacher in this context.
25. A report of the Project Workers work with the Nursery Teacher Workstream is included in Appendix 1.
26. The additional member of staff focussing on digital resources was a benefit during the lockdown. It increased capability and capacity.

27. The digital work carried out supporting the FVC EIS-FELA Branch during the pandemic was crucial in maintaining momentum during the industrial action. The dispute, including its industrial action, relied solely on digital tools and the industrial action was successful in that it leveraged a successful outcome to the dispute.
28. The Digital Review undertaken is a useful document to benchmark the EIS' digital resources and digital working. It makes recommendations so that the EIS can keep up with the pace of digital working so that we can match our members' expectations and continue to build our union.
29. The Digital Review is included in Appendix 2.

## **Summary**

30. The Project has been very successful in continuing engagement with Early Years Teachers – mainly women – during the course of the pandemic and through the provision of national support, has helped to build collegiality, cohesion and confidence at a time when support locally, for some, was more difficult to access. This growth in confidence and awareness of their distinct professional identity has strengthened engagement and activism from EYTs with the EIS as a trade union and has ensured that their voice has been heard in representations to the Scottish Government and other key stakeholders. The Project has also affirmed EIS policy in the ELC sector and will lead to the formation of a formal national network of Early Years Teachers in session 2021/22. This work and the campaign to protect meaningful access to a GTCS registered teacher in a nursery will continue after the Project's termination. Plans to advance this campaign and publish the research undertaken by the Project Worker and EIS companion document to the OECD Report will be considered by the Education Committee and EIS Council early in the new session.
31. The Project worker's contribution to digital working at Forth Valley College showed that industrial action and campaigning using modern organising techniques can be successfully applied and maintained over a sustained period of time using digital technology when the members cannot physically meet each other. This facilitates campaigning or industrial action to continue whilst there are shocks to society or workplace, such as a lockdown.
32. Organising via digital technology also has ramifications for the 'new normal' post-pandemic world as it is a way for unions to overcome fragmented and individualised workplaces, where an occupational group is spread over a large area or working in silos or working flexibly at different times and cannot, or do not, engage face-to-face.
33. Organising via digital technology also offers campaigning opportunities to complement face-to face campaigning, both to reinforce traditional methods

of organising (meetings, organising conversations, demos, collective activities, etc) and to engage with members that do not engage via the traditional methods.

34. The Digital Review is a useful starting point for a discussion around “digital working”, how we currently use digital technology and how we could use specific platforms and improved training to develop our organising work. It suggests a definition of “digital” and a way of working that reflects the digital age.

## **Recommendations**

1. To note the UMF 2021 Project Report.
2. To adopt the definition of digital as “Applying the culture, practices, processes and technologies of the internet era to respond to people’s raised expectations.” And to consider the other recommendations of the Digital Review.

# Freedom of Information Request

## Fees, Levies and Clawback on Schools PEF Funding

### Overview

The following motion was adopted by Council in September 2020:

"Council instructs the Executive to carry out an investigation into the use by Scottish Local Authorities of administration fees, levies, clawback on schools PEF funding."

On the 4<sup>th</sup> March 2021 all 32 Local Authorities were issued a freedom of information request by the EIS in response to the following questions:

1. Has the local authority received or kept funding provided by the Scottish Government under the PEF programme as administration fees, levies or clawback from schools?
2. How much funding did the local authority receive under the PEF programme each year since April 2018?
3. i) How much funding did the local authority reserve centrally (i.e. not disperse to schools) under the PEF programme each year since April 2018?  
ii) Further, to what use was any funding identified 3i) put to?

All 32 local authorities responded to our freedom of information request, with their responses included within this paper.

### 1. Response Data

Of the 32 responses that we received, 23 local authorities said that they did not keep any funding provided by the Scottish Government under the PEF programme as administration fees, levies or clawback from schools. A Further five (Inverclyde, Moray, Perth and Kinross, North Lanarkshire and the Scottish Borders) said that no funding had been kept, but that schools had contributed to the additional costs associated, for example to contribute to financial reporting or central HR services and posts.

Three local authorities (East Ayrshire, East Lothian, Fife, North Ayrshire) and said that they did keep funding either as a percentage of their PEF funding, or applied as a fee for schools receiving more than £10,000 in their award. West Dunbartonshire said that they did keep funding provided by the Scottish Government under the PEF programme as administration fees, levies or clawback from schools, but did not offer further information as to how this was applied as shown in Table 1.

**Table 1: “Has the local authority received or kept funding provided by the Scottish Government under the PEF programme as administration fees, levies or clawback from schools?” responses by local authority**

<b>Local Authority</b>	<b>FOI Response</b>
Aberdeen	No
Aberdeenshire	No
Angus	No, all funding was passed to Headteachers
Argyle & Bute	No, the local authority has not received administration fees, levies or clawback from schools
Clackmannanshire	No
Dumfries & Galloway	No
Dundee	No
East Ayrshire	No funding has been kept, however, schools contribute to the additional costs associated with supporting financial reporting and management, recruitment and HR services. This is capped at £150,000 per financial year
East Dunbartonshire	No
East Lothian	Yes, central support charges have been applied to schools with over £10,000 of PEF funding
East Renfrewshire	No
Edinburgh	No
Falkirk	No
Fife	Yes. In consultation and agreement with Head Teachers, schools contributed 2.5% of their Pupil Equity Funding to fund centralised PEF support to schools. Schools awarded £6,000 or less Pupil Equity Funding were exempt from making this contribution.
Glasgow	The Council has not kept any funding under the PEF programme as administration fees, levies or clawback from schools.
Highland	None
Inverclyde	All of the money was dispersed to schools as intended. (Schools opted to jointly fund posts and they put money into a central pot – but this was not a clawback or levy)
Midlothian	None
Moray	No funding has been kept as fees, levies or clawback. Schools were given their full funding allocation - an admin charge was levied on the employee element of their spend to cover the additional HR support required
North Ayrshire	Yes. In consultation with head teachers the decision was taken that schools which received an allocation in excess of £10,000 would be asked to contribute to the Central HQ Support costs. The full PEF budget is allocated to each school then the relevant schools pay a contribution towards the Central HQ Support costs.

North Lanarkshire	The full allocation was allocated to each North Lanarkshire Council school with an annual admin fee applied during the year.
Orkney	No - all PEF funding dispersed to schools
Perth & Kinross	The Council has not held back any PEF funding to Headteachers. From 2020/21, schools with more than 6 entitled PEF pupils have been recharged for support costs to their PEF budget with the full agreement of Headteachers.
Renfrewshire	No
Scottish Borders	Schools receive their full budget and a corporate administration recharge is applied
Shetland	No
South Ayrshire	No
South Lanarkshire	No
Stirling	No
West Dunbartonshire	Yes
West Lothian	No
Western Isles	No

## 2. PEF Funding Accolated by Local Authority

The amount given to each local authority is outlined below in table 2. Whilst the amounts offered vary considerably, it appears that each local authority has received similar amounts across each of their three years of funding.

**Table 2: "How much funding did the local authority receive under the PEF programme each year since April 2018?" responses by local authority**

<b>Local Authority</b>	<b>FOI Response</b>
Aberdeen	2018/19 - £2,845,080 2019/20 - £2,902,920 2020/21 - £3,110,988
Aberdeenshire	2018/19 - £2,809,212.60 2019/20 - £1,967,872.02 2020/21 - £1,817,576.68
Angus	2018/19 £2,118k 2019/20 £2,113k 2020/21 £2,184k
Argyle & Bute	2018/19 - £1,401,600 2019/20 - £1,372,920 2020/21 - £1,330,813
Clackmannanshire	2017-18 - £1,560,000 2018-19 - £1,575,120 2019-20 - £1,629,240 2020-21 - £1,527,827
Dumfries & Galloway	April 2018 - £2,972,520 April 2019 - £2,883,480 April 2020 - £2,870,271 April 2021 - £2,993,409 (not yet received)
Dundee	2018/19 - £4,980,840 2019/20 - £5,036,880 2020/21 - £5,068,557
East Ayrshire	2018/19 £3,465,000 2019/20 £3,522,120 2020/21 £3,503,020
East Dunbartonshire	2018/2019 - £1,588,440 2019/2020 - £1,603,080 2020/2021 - £1,663,869
East Lothian	2018/19 - £1,565,160 2019/20 - £1,560,600 2020/21 - £1,613,823
East Renfrewshire	17/18 - £1.37m 18/19 - £1.41m 19/20 - £1.43m 20/21 - £1.35m
Edinburgh	2018/19 - £2,413,200 2019/20 - £2,365,920

	2020/21 - £2,398,707 2021/22 - £2,501,613
Falkirk	2018-19 £ 3,577,320 2019-20 £ 3,621,960 2020-21 £ 3,659,972
Fife	2017/18 £9.787m 2018/19 £10.101m 2019/20 £10.049m 2020/21 £9.881m
Glasgow	2018/19 - £21,785,160 2019/20 - £22,305,600 2020/21 - £22,201,370
Highland	2018/19 - £4,095,000 2019/20 - £4,039,560 2020/21 - £4,007,948
Inverclyde	2018/19 - £ 2,428,800 2019/20 - £2,385,960 2020/21 - £2,385,960
Midlothian	2018/19 - £2,273,160 2019/20 - £2,253,240 2020/21 - £2,209,916
Moray	2017-18: £1,270,800 2018-19: £1,341,960 2019-20: £1,418,040 2020-21: £1,394,840
North Ayrshire	2018/19 - £4,413,960 2019/20 - £4,297,771 2020/21 - £4,297,771
North Lanarkshire	2018/19 - £8,834,880 2019/20 - £8,764,200 2020/21 - £9,110,457 2021/22 - £9,501,303"
Orkney	2018 - £232,200 2019 - £231,800 2020 - £237,800 2021 - £248,000 (Still to receive)
Perth & Kinross	2018/2019 = £1,661,520 2019/2020 = £1,667,400 2020/2021 = £1,699,113
Renfrewshire	2018/19 - £4,272,240 2019/20 - £4,347,480 2020/21 - £4,360,388
Scottish Borders	2018 - £1,841,280 2019 - £1,795,800 2020 - £1,798,854
Shetland	2018/19 - £232,680 2019/200 - £230,400 20/21 £227,676
South Ayrshire	2018/19 - £2,413,200 2019/20 - £2,365,920

	2020/21 - £2,398,707 2021/22 - £2,501,613
South Lanarkshire	2018/19 - £7,988,400 2019/20 - £7,743,360 2020/21 - £8,262,368
Stirling	2018-19 - £1,483,440 2019-20 - £1,504,800 2020-21 - £1,417,866
West Dunbartonshire	2018/19 - £3,425,880 2019/20 - £3,353,520 2020/21 - £3,166,556 2021/22 - £3,302,404
West Lothian	April 2018 - £5,160,840 April 2019 - £5,191,440 April 2020 - £5,009,817
Western Isles	2018 - £290,880 2019 - £300,120 2020 - £292,290 2021 - £304,830

### 3. Central Funds Collected from PEF

From the 32 local authority responses received 20 reported that no money has been reserved centrally from the PEF funding issued to schools. A further 2 local authorities (Inverclyde and the Western Isles) said that some money PEF had been collected centrally, but did not indicate the total value of this contribution. The remaining 10 local authorities all detailed the amount of funding that had been reserved centrally. This varied from £3,678.66 reported by Moray, to Just under a million pounds reserved by Aberdeen as shown in table 3.

When asked how this funding was used, 10 local authorities provided information on how this funding was dispersed. Most allocated this money to central staff costs for example to Finance and HR personnel. Aberdeen used their reserved funding to buy Chrome books, and Midlothian directed around £400,000 to support the running of summer camps for key worker and vulnerable children as outlined in Table 4.

**Table 3: "How much funding did the local authority reserve centrally (i.e., not dispersed to schools) under the PEF programme each year since April 2018?" responses by local authority**

Local Authority	FOI Response
Aberdeen	2018/19 - £0 2019/20 - £0 2020/21 - £928,065
Aberdeenshire	Nothing has been reserved, everything has been allocated to schools
Angus	Nil- all funding passed to schools
Argyle & Bute	None
Clackmannanshire	2017-18 - £70,739 2018-19 - £88,217 2019-20 - £91,172 2020-21 - £94,116
Dumfries & Galloway	Nil
Dundee	None
East Ayrshire	None
East Dunbartonshire	None
East Lothian	2018/19 - £87,654 2019/20 - £89,995 2020/21 - £92,243
East Renfrewshire	No PEF funding was reserved centrally by East Renfrewshire Council.
Edinburgh	None
Falkirk	2018-19 £ nil 2019-20 £ 90,549 2020-21 £ nil
Fife	<b>PEF Total £'m</b> <b>2.5% Contribution £'m</b> 2017/18 9.787m                      0.244

	2018/19 10.101 2019/0 10.049 2020/21 9.881	0.251 0.250 0.246
Glasgow	None	
Highland	None	
Inverclyde	All of the money was dispersed to schools as intended. (Schools opted to jointly fund posts and they put money into a central pot – but this was not a clawback or levy)	
Midlothian	2020-21 - £113,000	
Moray	2017-18 - no charge 2018-19 - £7,410.59 2019-20 - £13,688.93 2020-21 - £3,678.66 (to date)	
North Ayrshire	2019/19 - £146,548 2019/20 - £190,947 2020/21 - £198,263	
North Lanarkshire	None	
Orkney	None	
Perth & Kinross	The Council has always allocated the full PEF allocation to Headteachers	
Renfrewshire	None	
Scottish Borders	No funds were reserved centrally; however, in consultation with Scottish Government, the 2019/20 net underspend of £380k was redirected to support COVID-19 pressures in schools.	
Shetland	None	
South Ayrshire	None	
South Lanarkshire	None	
Stirling	None	
West Dunbartonshire	£100,000 per annum	
West Lothian	At the request and agreement from Headteachers the following amounts were reserved centrally <ul style="list-style-type: none"> <li>• April 2018 - £178,990</li> <li>• April 2019 - £102,706</li> <li>• April 2020 - £74,566</li> </ul>	
Western Isles	The local authority did not reserve funds centrally. 20 of our schools pooled their funds each year and collaborated to employ around 15 additional staff - Education Attainment Officers. These additional staff were distributed according to need by our PEF Headteacher Hubs and their Chairpersons. The local authority contributed on average around £100k funding to this collaboration per year since the introduction of PEF funding.	

**Table 4: “To what use was any funding identified in 3i) put to?” responses by local authority**

<b>Local Authority</b>	<b>FOI response</b>
Aberdeen	Chromebooks and associated licences/equipment for pupils
Aberdeenshire	Not Applicable
Angus	Not Applicable
Argyle & Bute	Not Applicable
Clackmannanshire	1 FTE Senior Accountancy Assistant 1.4 FTE HR Associates
Dumfries & Galloway	Not Applicable
Dundee	Not Applicable
East Ayrshire	Not Applicable
East Dunbartonshire	Not Applicable
East Lothian	The central support charges are credited to areas which support schools with PEF - Schools Support, Finance, Human Resources and Procurement
East Renfrewshire	Not Applicable
Edinburgh	Not Applicable
Falkirk	Schools agreed to fund a central finance officer and to contribute to additional resources to support the provision of data/management/statistical information
Fife	Not Applicable
Glasgow	Not Applicable
Highland	Not Applicable
Inverclyde	2018-19 £25,000 Joint Admin Post & £25,000 Extra HR Hours 2019-20 £25,000 Joint Admin Post & £25,000 Joint Admin Hours 2020-21 £25,000 Joint Admin Post & £25,000 Extra HR Hours
Midlothian	In line with Scottish Government guidance and with the agreement from Head Teachers, funding was diverted to contribute to the circa £400k cost of Summer Camps for key worker and vulnerable children, with attendance in the main being our vulnerable children.
Moray	No funding was reserved centrally - as per above, an admin charge was levied on schools which utilised funding for staffing (see column D)
North Ayrshire	This funding is used to fund the salaries of the central HQ PEF Support Staff
North Lanarkshire	Not Applicable
Orkney	Not Applicable
Perth & Kinross	Not Applicable
Renfrewshire	Not Applicable

Scottish Borders	In accordance with guidance issued by Scottish Government on 1 <sup>st</sup> May 2020, the 2019/20 underspend was used to offset pressures within schools as a result of the coronavirus pandemic such as the running of 7 day hubs throughout the summer for invited and key worker children and PPE.
Shetland	Not Applicable
South Ayrshire	Not Applicable
South Lanarkshire	Not Applicable
Stirling	Not Applicable
West Dunbartonshire	To cover additional central support costs in Finance, Administrative and HR caused by PEF.
West Lothian	These amounts were used for the following staffing costs Central support staff team <ul style="list-style-type: none"> <li>• PEF Business Manager/Admin</li> <li>• Literacy/H&amp;WB/Numeracy Leads</li> <li>• Education Officer/Impact Measurement team</li> </ul>
Western Isles	Not Applicable

### **Recommendation**

The Committee is asked to note these findings.

## Supporting Supply Teacher Members: National Online Supply Network

1. Issues concerning supply teachers and the challenge of acquiring posts, permanent and temporary, have featured prominently in the work of the Institute across the period of the pandemic and indeed, was a lead concern in the EIS Manifesto for the last Parliamentary elections. Many newly qualified and recently qualified teachers unable to obtain permanent positions, have become reliant on supply work, temporary contracts or fixed-term contracts. On a long-term basis, this is financially unsustainable for a number, and they are either leaving the profession or having second jobs to sustain living costs.
2. A group of teachers facing this scenario used social media platforms to create momentum to highlight their plight lobbying the Scottish Government directly to address the challenges that it faces. The Scottish Government has engaged with the group at Ministerial level in response to an open letter that it sent, a follow-up letter is appended (Appendix A). The Institute has liaised directly with the group, or elements of it, through a series of meetings and communications with the General Secretary – most of the group’s coordinators being EIS members.
3. A more structured group seems to have coalesced on Twitter and Facebook as “Scottish Temporary Teachers” (@Scottish Tempor1) with the Twitter tagline #LetUsTeach, and the description: “We represent over 2500 Scottish Teachers who are campaigning for fair recruitment practices and permanent contracts for all.” Twitter shows that the account has 1040 followers and Facebook shows that the group is liked by 347 and is followed by 409 users. Some, if not a considerable number of these teachers, are likely to be EIS members.
4. As referenced above, significant efforts have been made by the EIS at a national level, to lobby the government on increased teacher numbers and to offer all probationer teachers contracts. There has been some success with this strategy – with the Scottish Government allocating additional funding to employ temporary teachers during the pandemic and a recent announcement of £80m mainstreamed funding to allow such one-year additional posts to be made permanent<sup>1</sup>. There is some variance at a local level in how such posts have been allocated, however, and in short, despite national policy developments and additional funding, there remain many supply and temporary teachers in precarious work.
5. Some Local Associations have formed informal supply teacher networks to support such members at a local level. There is no national network of supply teachers, however.
6. Executive is asked to consider approval for the creation of a ‘National Online Supply Network’, together with improved EIS communications (social media / EIS website) in order to provide a reference point to supply teachers. Such a network would be a visible two-way communication channel for supply members to share their experiences with the EIS to allow the EIS to make the best possible decisions with regards to its campaigning and priorities. Such a channel would also allow effective communication back to supply teachers.
7. A ‘National Online Supply Network’ would need to be highly visible on social media as this seems to be a key medium for this group of members. This may involve creating and maintaining a specific social media account.

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<sup>1</sup> <https://www.gov.scot/news/extra-funding-for-teachers-to-continue/>

8. The 'National Online Supply Network' would be set up and maintained by a range of staff including officers, organisers and comms personnel. It would feed information into the Executive and other Committees, as appropriate and seek to complement any work being done locally by Local Associations. Note - it is not intended that this be a formal occupational network within the EIS structures but rather a flexible organising platform for what could be transient group of members, who by virtue of their employment status may find it more difficult to engage in more traditional routes to EIS activity. In that sense it may provided a template for targeted engagement with other self-identifying groups of members,

### **Recommendation**

To form and maintain a 'National Online Supply Network' as a two-way national communication channel with supply teachers.

Dear MSP Shirley-Anne Somerville,

We represent over 2000 fully qualified Scottish teachers who find ourselves unable to secure permanent employment because of local authority policy and practices.

We previously met with John Swinney on July 10th 2020 to highlight our plight and the disgraceful way teacher recruitment has been addressed in recent years. The cohorts of qualified teachers since 2018 have found themselves unable to secure permanent posts following probation. We did not receive a follow up response from Mr Swinney whilst he was education secretary, despite his commitment to do so.

We acknowledge that the Scottish government has put funding in place to provide additional teachers during our Covid crisis; 1400 posts through Covid funding and support through the Pupil Equity Fund. However, these posts were only so readily filled due to there being unacceptably large numbers of qualified teachers unemployed at the time and desperate for work. It should also be noted that these posts have been created on a temporary basis. Some are being terminated in June this year, while others will only be extended for one more academic year. Many teachers have taken up the limited temporary posts that were available to us last August. Whether they be COVID Recovery posts, management time, covering a probationers day out or CCR cover - many teachers have found themselves working in multiple schools and covering a number of classes (in some cases working in 12 different classes in the space of a week, heightening the risk of infection). Unfortunately, the majority of temporary posts will cease by June, meaning no salary over Summer despite working a full academic year and a break in service that prevents any eligibility for permanency. Furthermore, in many instances, the Pupil Equity Fund is utilised to fund resources and learning materials and rarely covers the cost of a full-time teacher salary.

We are appalled to report that Local Authority budget cuts are resulting in even fewer posts being advertised, at a time when our pupils need our support most. In one council this year, announcements were made that 82 nursery teaching posts and 40 area cover teaching posts are to be cut and the staff redeployed, immediately filling all available posts. In another council, only supply work was advertised and interviews for this have just been cancelled. Over 1200 teachers submitted their application for this post and hundreds have been left disappointed that their application will simply be kept "on file". When approached, councils have advised that they already have a surplus of permanent staff that is greater than minimum requirement. The practice of filling classroom numbers to capacity and reducing the number of teachers to a skeleton staff is questionable, and clearly in contempt of the GIRFEC values and The National Improvement Framework ideal to close the attainment gap in Scottish Education. On page 52 of the 2007 SNP manifesto, the party declared "It's time," and pledged to cap P1-P3 classes at 18. This has never been fully achieved and classes across Scotland are bursting at the seams. There is an influx year on year of new probationer teachers flooding the system. Each year, local authorities fill their vacancies with the new probationer teachers, who have essentially become cheap Labour with absolutely no hope of achieving permanent employment following completion of their probationary year.

On March 18th 2021, Willie Rennie highlighted our precarious situation at First Minister's Questions and yet we were still left without a response or explanation from our then education secretary. For those without the year-long "luxury" of a temporary contract are left to rely on supply work and are essentially employed under zero-hour contracts, whilst in pursuit of a rewarding professional career. There are thousands of teachers who cannot secure mortgages or car loans, plan maternity leave or make long term

commitments due the uncertainty of our employment. Those of us unlucky enough to be on temporary part time contracts, we have had to seek additional employment elsewhere just to pay our bills and put food on the table. Sadly, many of our colleagues have even had to leave the profession due to the instability of employment. Understandably, many of our colleagues have reported a decline in their mental health and increased stress and anxiety levels due to the casualisation of the workforce. Despite this, we do appreciate the value we bring when we are able to work and continue with a smile on our face and provide the fantastic education and support our children need and deserve at this difficult time.

A year ago Mr Swinney frivolously promised hundreds of probationer teachers a job, ignorant to the yearly struggle of thousands of experienced temporary teachers. In light of this, the teachers of Scotland rallied together and took action. We created an online group that now, a year later has over 2000 members. In addition, our plight is being recognised in the national press, by the biggest teaching union, and in every political party's election campaign. In May, the SNP pledged to recruit an extra 3500 teachers and we now need your support, to make a difference and resolve this ongoing and unacceptable travesty that is having a directly negative impact on the quality of education in Scotland. I'm sure you will agree that it is in all of our interests to find a solution to these practices and ensure that all teaching staff are being utilised fairly to support our learners, not just as we recover from COVID, but also in moving forward and looking to the future.

*The Temporary and Supply Teachers of Scotland.*

## **EIS Reps Training Pathway**

An EIS representatives training pathway is set out below and is a codification of what is offered to reps at present. The challenge for the EIS is to regularly train all reps to meet all their changing needs. The proposed pathway sets out an EIS representatives training journey that they take from their election onwards. The training pathway below becomes more advanced with the stages to reflect the increased knowledge and experience that reps gain over time, and their willingness to take on a wider and more active role.

Representatives' training is provided by a mix of Organisers, Area Officers, Lay Representatives and TUC tutors. Reps training is delivered by a range of means within the EIS – by shadowing and mentoring within Branches & LAs, LA level training, national level training courses and those provided by external stakeholders such as the TUC and STUC. Whilst this pathway focusses on general reps' training, there is much training developed and delivered for specific purposes, skills or campaigns, eg, Health & Safety, casework, family rights, discrimination, campaigning, a specific campaign, communications etc.

EIS training focuses on implementing an organising strategy – that is to maximise reps' activities and to enable reps to engage with members in order to turn them into activists too. Some reps' training involves casework representation in order to maintain most representation to be carried out by representatives, leaving all but the most serious cases to full time officials. EIS reps training also focuses significantly on building activism within the EIS, building strong branches, campaigning, and collective bargaining. The training is designed to support reps in all aspects of their role in a campaigning member-led union, where, for example, campaigning is used to leverage collective bargaining.

The progressive multi-stage reps training pathway encourages reps to move from course to course when the time is right for them. The aim is that the Stage 0 course is completed by every new rep during their first year and the Stage 1 course is completed by all reps within 2 years of their election. It is not proposed to bar any experienced rep from accessing Stage 1 or, in some cases, Stage 2 directly.

The effectiveness of the training pathway would be improved by maintaining a reps training record as part of the HQ central database thereby ensuring the appropriate training is offered to reps.

The EIS Stage 0, 1 and 2 courses were developed internally to address EIS training needs and ways of working. The Stage 3 TUC Diploma of Employment Law is an off-the-shelf TUC training course with additional EIS elements. The EIS pathway is compatible with the TUC Training pathway, and Stage 1, 2 and 3 courses are partly or wholly delivered by TUC tutors – i.e. college lecturers with Organisers and support from Area Officers. The one-day reps training course (Stage 0) for new reps will be delivered at Local Association level by Organisers, Area Officers and supported by LA reps.

It is also important for reps, Organisers and LAs to engage with activists to encourage the next generation of activists. A branch committee or "EIS team" in schools may assist this, as will offering Stage 0 training to activists who are interested in becoming reps.

<b>Stage</b>	<b>EIS Course</b>	<b>Description</b>	<b>TUC Accredited?</b>
0	Introduction to Being a School Rep	<p>An introductory 1 day course for new reps delivered by Organisers and Area Officers at LA level.</p> <p>The aim of the course is to give some working knowledge to newly elected reps to help them with the immediate duties and how to refer cases onwards within the EIS.</p>	No
1	EIS Reps Training	<p>A 4 day course split over 2x2 day sessions. It is now delivered online but is designed as a face-to-face course. It is delivered by TUC Tutors and Organisers with Area Officer support.</p> <p>This is an EIS developed course based on the TUC Stage 1 course.</p> <p>It covers the essentials of being a rep, and it is aimed at all school reps.</p>	<p>Yes.</p> <p>It is almost equivalent to the TUC Stage 1 Reps' course. (The TUC Stage 1 is a 10 day course).</p>
2	Online EIS Reps Training	<p>An online 20 week course initially aimed at activists and reps that could not access the face-to-face EIS Reps training. It is now regarded as the follow-on from the EIS Reps Training course. It is delivered by City of Glasgow TUC tutors, with support from an Organiser.</p> <p>This is an EIS developed course based on the TUC Stage 1 and Stepping Up (advanced course) for Reps.</p> <p>It covers the essentials of being a rep and some advanced elements of representation and bargaining. It is aimed at all experienced school reps and LA activists.</p>	<p>Yes.</p> <p>It is equivalent to the TUC Stage 1 Reps' course with elements of the advanced 'Stepping Up' Course.</p>
3	Diploma in Employment Law	<p>This online 2 year course is a TUC Diploma in Employment Law with additional EIS elements delivered by the City of Glasgow College.</p> <p>It is aimed at LA Secretaries and other LA caseworkers that carry out casework including serious cases where dismissal is a possibility.</p>	Yes, the Stage 3 TUC Diploma is awarded on completion.

The Stage 1 EIS Reps training is aimed at school reps but FELA/ULA sometimes also attend as it is relevant to their work. Work is nearing completion on developing a TUC accredited FELA/ULA version of the Stage 1 EIS training. A 1-day Stage 0 FELA/ULA Reps training course will also be developed.

### **Recommendation**

That the Committee approve the multi-stage hierarchical EIS reps training pathway.



The Educational  
Institute of Scotland

# EIS Member Survey 2021: Workload, COVID-19, Health and Wellbeing findings

**Member Survey Results**

**December 2021**

The Educational Institute of Scotland

## Background

The EIS is the largest teacher trade union in Scotland, representing over 80% of all teachers across nursery, primary and secondary education. With such a broad and expansive membership, the EIS is committed to seeking and representing the views of its members through direct engagements as well as through the use of member surveys.

For just short of 2 years, teachers in Scotland have been battling COVID-19 infections within schools, continually adjusting policies and practices to implement safety mitigations, as well as continuing to provide blended learning to support the large number of pupils who have been absent due to the COVID-19 pandemic. Our members within the secondary school sector have also performed herculean efforts to prepare students for national qualifications with ever-changing requirements.

The past 21 months have undoubtedly put a strain on our teachers and our education system as a whole. However, even before March 2020 teachers in Scotland had raised the alarm on high levels of stress, unsustainable levels of workload and poor wellbeing within the profession.<sup>1</sup>

This survey looks at the key issues facing teachers in Scotland today: workload, COVID-19 and their health and wellbeing at work.

## Methodology

The EIS school sector survey was opened on Thursday 11<sup>th</sup> November and closed on the morning of 29<sup>th</sup> November. The survey has a total of 32 questions, but owing to survey design, most members were not required to answer all questions.

In total 16,056 responses were gathered, with a return rate of 32%. This turnout shows just under a third of all members eligible have completed the survey. The average response time to complete the survey was 8 minutes; however some members noted that it took them longer than this due to the extended answers that they gave.

Eligible members were emailed a link to the survey, which was also promoted on the EIS website and the EIS social media pages. Prior to the survey going live to members, it was issued to a small test sample of members for peer review.

The survey was broken down into 4 sections: About You, COVID-19, Workload, and Health and Wellbeing. There was also an opportunity at the end for members to note any further comments.

None of the questions were mandatory. This allowed respondents to skip questions as they progressed throughout the survey. This was done to ensure that there was no false recording within the survey, to improve confidence in the results. Some questions also had 'logic' applied, meaning that respondents would be redirected to different follow-on questions depending on the answers they gave. Details of how many respondents answered each question are included throughout this report.

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<sup>1</sup> EIS, Value Education, Value Teachers Survey Results (2019) <https://www.eis.org.uk/Time-To-Tackle-Workload/SurveyResults>

All figures within this report have been rounded to the nearest one decimal place, meaning that some questions may not have a total exacting 100%, with other questions within the survey allowing for multiple responses.

There was considerable opportunity for members to record more detailed answers to the questions posed, either by using comment boxes, or by ticking an “other” option where appropriate. Throughout this report member comments have been included under the corresponding questions. As some questions within the survey elicited thousands of additional comments or responses, the quotes selected are only a snapshot of this wider data but have been chosen to reflect the majority of views captured.

## **Margin of Error**

This survey was conducted on the Survey Monkey platform. Survey Monkey describes the margin of error as:

“Margin of error (also called confidence interval) indicates the level of certainty with which you can expect your survey results to reflect the views from the overall population. Surveying is always a balancing act where you use a smaller group (your survey respondents) to represent a much larger one (the target market or total population).

“Margin of error is often used as a way of measuring how effective a survey is. The smaller the margin of error, the more confidence you may have in your results. The bigger the margin of error, the farther they can stray from the views of the total population. One way in which to reduce the margin of error is to increase the sample size.”<sup>2</sup>

Using the full eligible membership as our baseline figure, the margin of error with our sample of 16,056 is less than one percent<sup>3</sup>.

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<sup>2</sup> Survey Monkey, Margin of Error Calculator [https://www.surveymonkey.com/mp/margin-of-error-calculator/?ut\\_source=mp&ut\\_source2=sample-size-calculator&ut\\_source3=inline&ut\\_ctatext=margin%2520of%2520error%2520calculator](https://www.surveymonkey.com/mp/margin-of-error-calculator/?ut_source=mp&ut_source2=sample-size-calculator&ut_source3=inline&ut_ctatext=margin%2520of%2520error%2520calculator)

<sup>3</sup> Ibid.

## Section 1 – About You Findings

### About You

The first section of the survey asked respondents to fill in key details about themselves. The answers given in these opening sections give an indication of who our members are and what they teach. Whilst these answers provide insight into EIS teacher members when looked at on their own, they can also be analysed alongside other questions within this survey to provide information on how different sections of EIS membership responded to certain issues.

Within the survey, members were asked whether they taught in primary, secondary, nursery, or special schools (with the ability to select more than one option as appropriate), with secondary school teachers then also being asked what subject(s) they taught. Members were asked, also, to state what their substantive post is from a range of options, and which local authority they worked in.

The questions on member characteristics were compulsory, to ensure that only eligible members filled in the survey, as well as ensuring that there was a large sample to allow for disaggregation. Where the sample size was lower than 1,000 these have not been disaggregated to ensure confidence in the results.

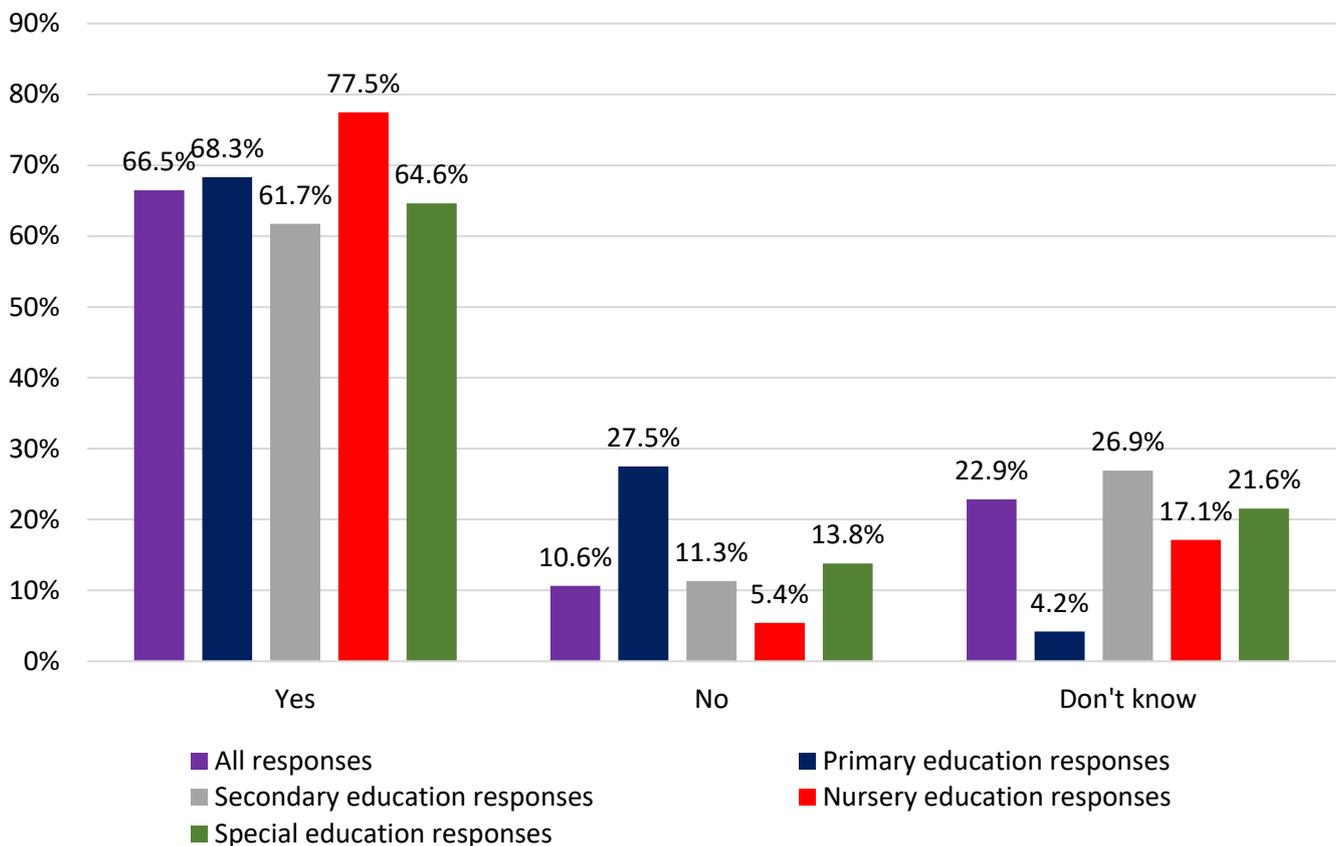
Where useful, results have been refined to illustrate nuances in response based on indicators such as sector worked in, post held or any other relevant characteristic.

## Section 2 – COVID-19

Since the first cases of COVID-19 hit Scotland early in 2020 much more is known about the virus and how it spreads. There is also an extensive vaccination programme in place which has provided vaccines to all school staff who are able to receive it. Despite this, ongoing measures are still needed to ensure that the levels of infection do not become unmanageable.

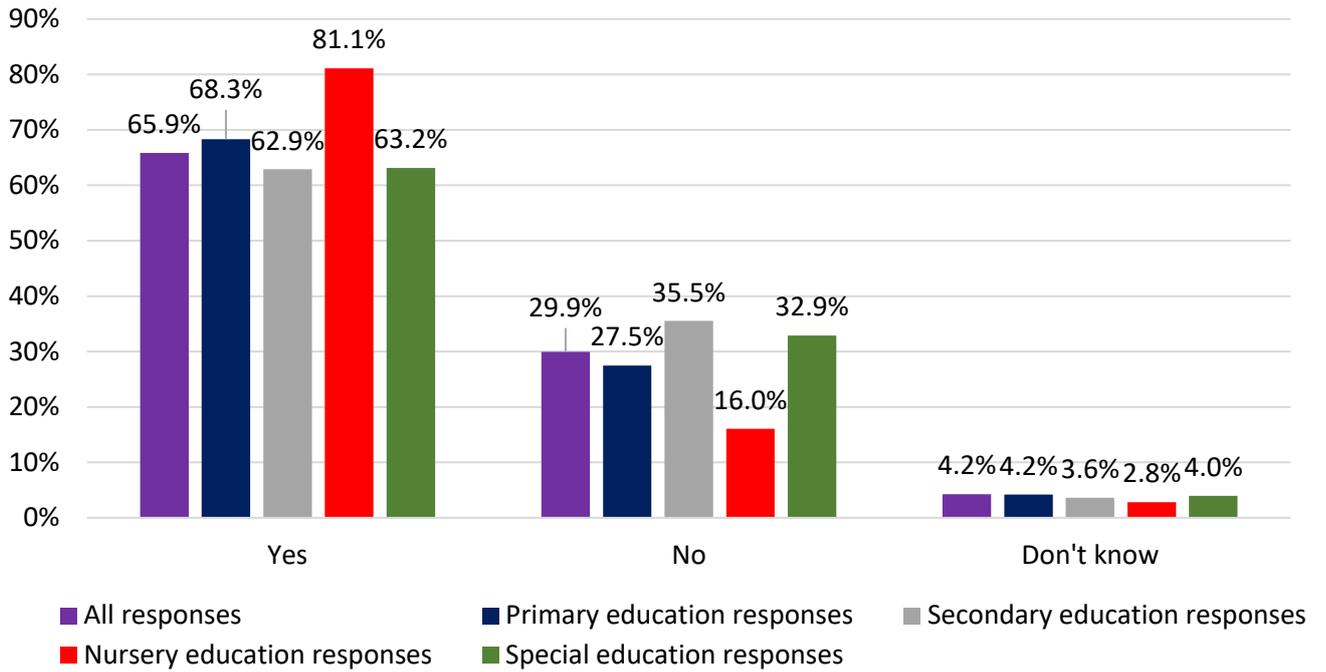
To better understand the extent to which these measures are being deployed successfully across our schools the EIS survey looked at key measures such as ventilation, and the use of face coverings in schools, to determine how safe teachers feel in school. The following tables look at the implementation of CO2 monitors, risk assessments and the quality of ventilation within schools.

**Figure 1: Have risk assessments been regularly revisited within your establishment to ensure that measures in place take full account of current contexts?**



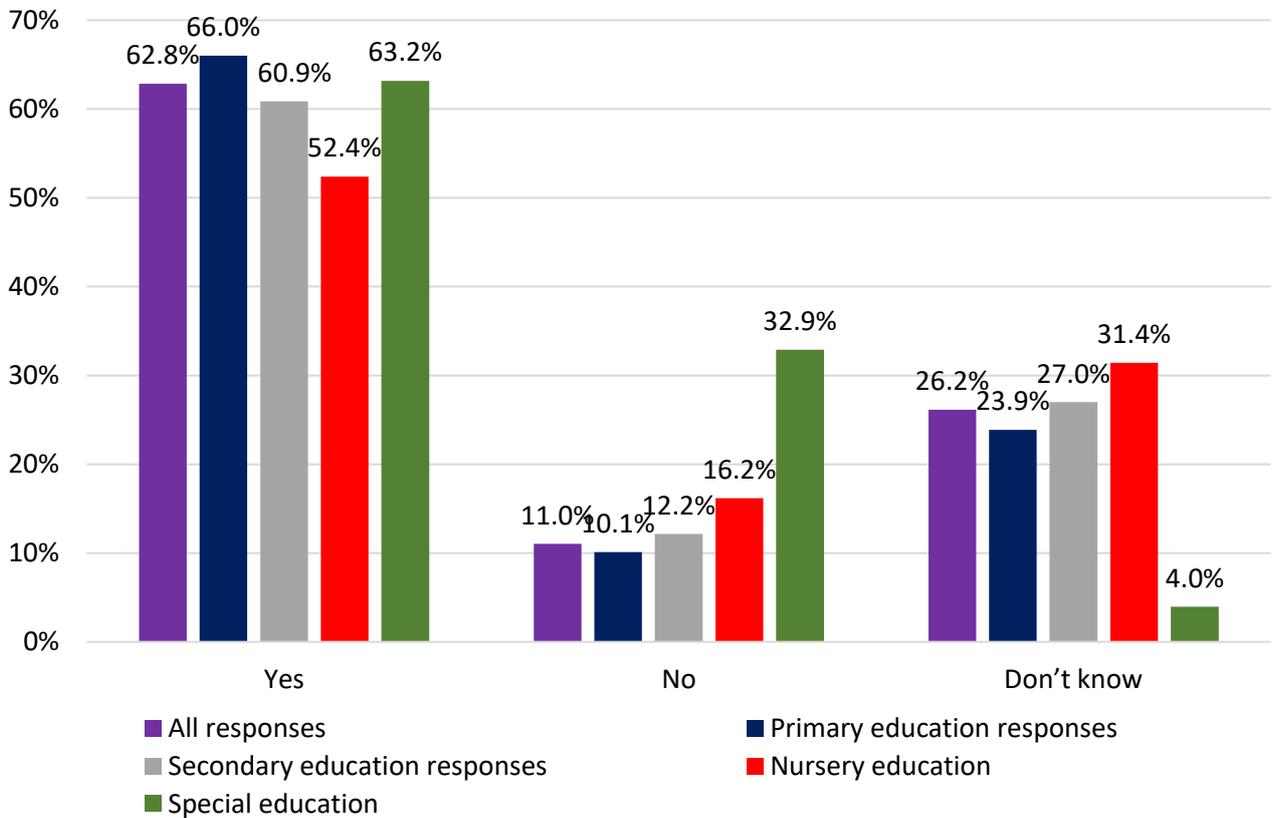
Total responses: 15,397

**Figure 2: Do you feel that your working spaces are well ventilated?**



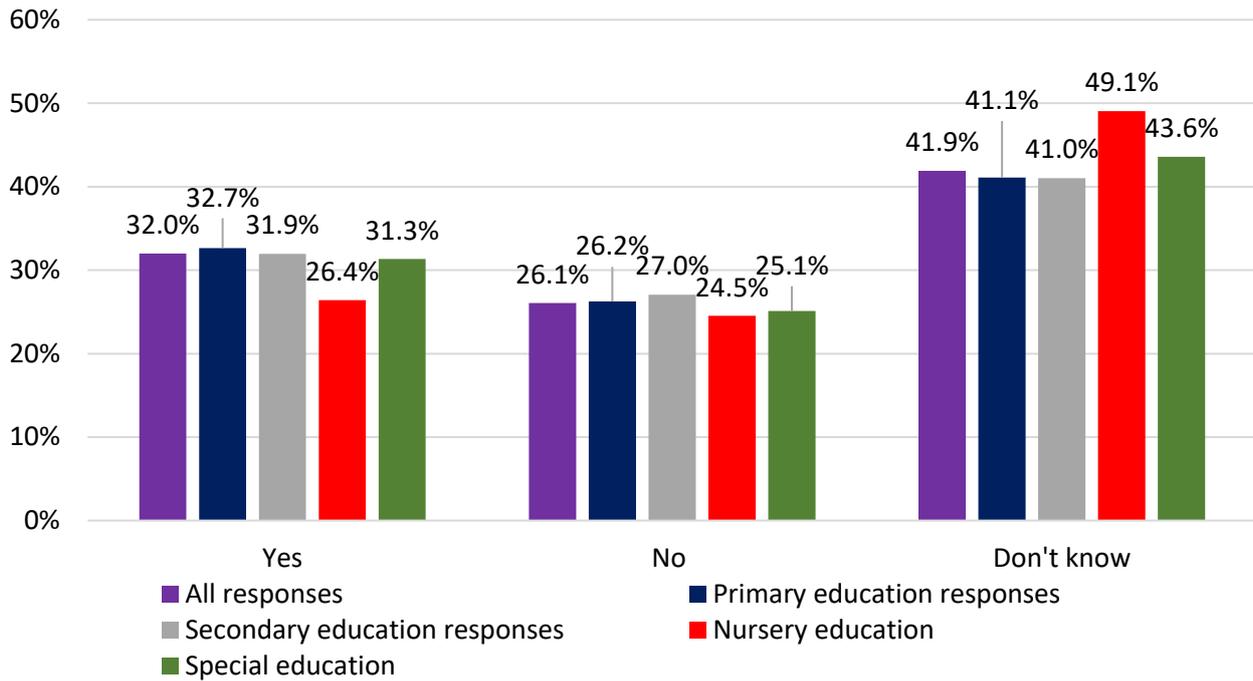
Total responses: 15,021

**Figure 3: To your knowledge, has your school / employer checked the ventilation of your working spaces?**



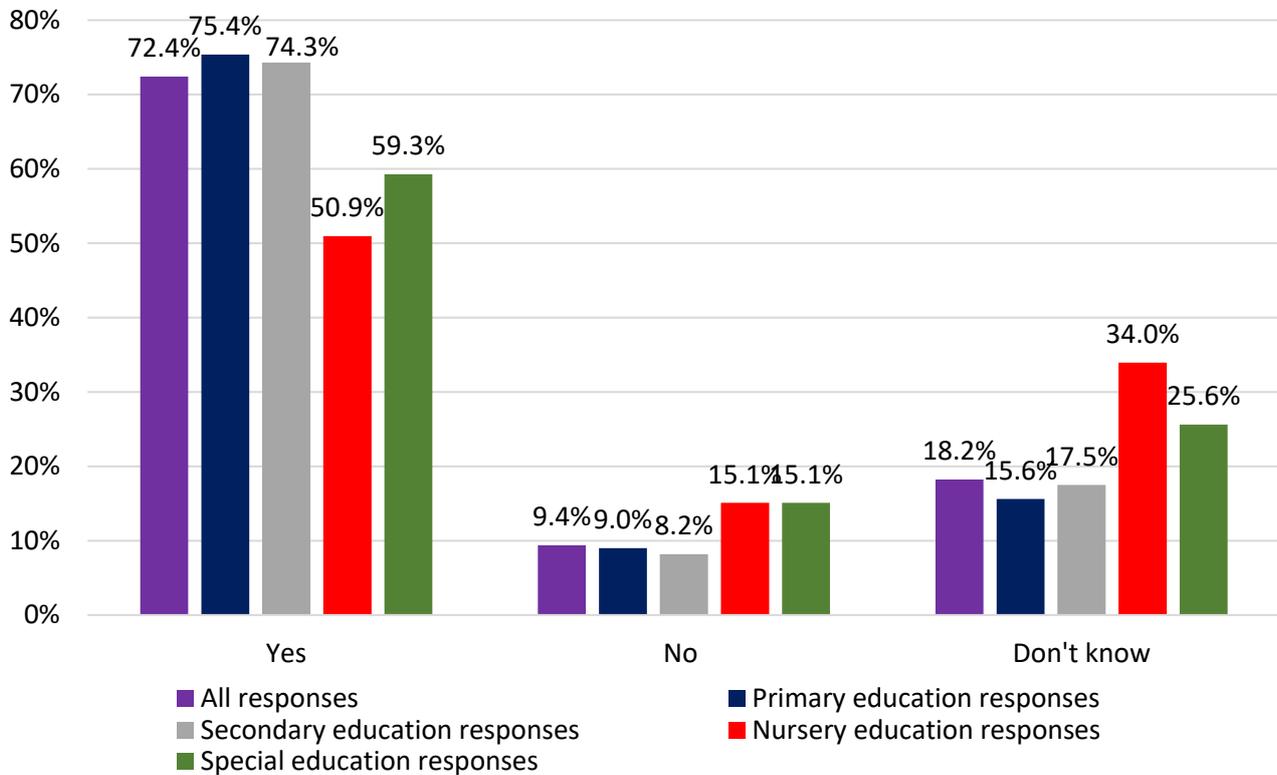
Total responses: 15,012

**Figure 4: Has your school / employer set out a procedure to raise ventilation concerns?**



Total responses: 15,013

**Figure 5: Has your school / employer either used CO2 monitors to investigate ventilation quality or set out how your workspace's ventilation may be measured?**



Total responses: 15,020

Figures 1 to 5 above show that whilst the safety mitigations around CO2 monitors and ventilation are in place in most schools, there remains inconsistency in member experiences. Two thirds of all members (67%) stated that risk assessments have been regularly revisited within their establishments, although this was slightly lower for those working in the secondary education sector (62%).

Those working in the nursery education sector were more likely to say that they felt their working spaces were well ventilated (81%) compared to those in the secondary education sector (63%). Those in the primary education sector were also more likely to report that their school or employer had checked the ventilation of their working spaces (66%) than their secondary (61%), nursery (52%) or special education (63%) counterparts.

Only 32% of respondents said their school or employer had set out a procedure to raise ventilation concerns. When disaggregated by sector there was little difference between respondents in primary, secondary and special education, with those in nursery education most likely to respond “don’t know” to this question. That in every sector, more than 40% of teachers, rising to almost 50% in Nursery, did not know of any procedure to raise ventilation concerns is worrying from a health and safety perspective.

There was unity across the primary (75%) and secondary (74%) education sectors when asked if their school or employer had either used CO2 monitors to investigate ventilation quality or set out how their workspace’s ventilation may be measured. This was much lower in the nursery (51%) and special (59%) education sectors.

### **Member comments on ventilation and risk assessments**

There were 3,831 further comments left at the end of these questions. Within these comments, members raised time and again the issues of balancing the necessary ventilation requirements with a comfortable working environment, especially as the weather continues to turn colder. Some also raised concerns about the ability to fully ventilate their classrooms as their windows did not open fully, or that they must rely on keeping doors open throughout the school to allow air to circulate.

Some respondents stated that the communication within their school or from their employer was poor, and therefore they were not able to answer some of the questions above.

There were also a notable number of positive comments left from our members who wanted to highlight the great work that had been carried out by senior management (?) team members in reporting CO2 levels and managing staff concerns. Below are a small number of the comments received.

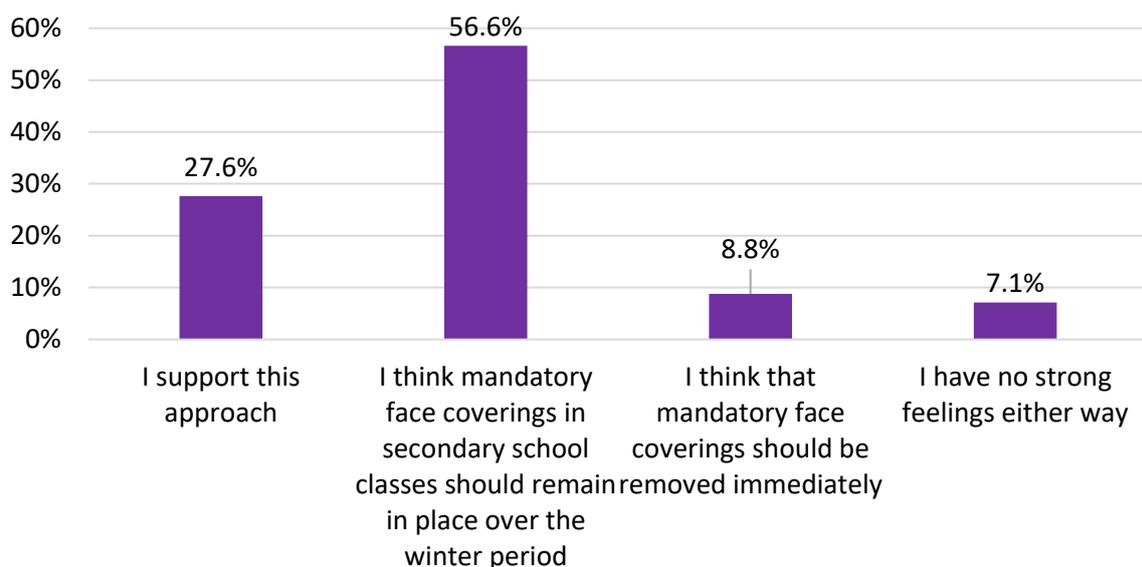
- “All the above measures have been raised but we are responsible for ventilating our own classrooms. Unfortunately, due to severe weather conditions this is not always possible, but I do generally keep an exit door or window open.”
- “Monitors shared between classes but no procedure to go with them. For example, when all windows are open but monitor is flashing.”
- “Although staff are trying to keep the school well ventilated, this is difficult when some classrooms only have very small and few windows that can open, and if they do have better options for ventilation it is now becoming very cold.”
- “Feel very left out of decision making and processes.”
- “We were issued with CO2 monitors after October break. We were asked to take a reading but not given any indication what the readings were for.”
- “The ventilation was assessed and found to be extremely poor. This was done in Sep/Oct and nothing has been done off the back of this.”

- “The rooms I am usually given are spacious with wide open windows/doors, and clearly very well ventilated.”
- “As a peripatetic teacher I find that some schools are good about ventilation and have CO2 monitors but others do not.”
- “We have monitors in each classroom and they beep if the levels are too high reminding us to open a window a bit more.”
- “I feel our risk assessments & procedures devised were thorough & maintained well. On the whole I felt safe at work and appreciate the level of effort by school management to ensure this.”
- “Schools are far too cold to work in. How is sitting eating your lunch in a freezing cold hall in your jacket good for staff morale and mental health. The children are also freezing which is affecting the learning taking place.”

### Face coverings

The final question within this section looked at the use of face coverings in schools. Over half of secondary sector respondents said they thought that mandatory face coverings in secondary schools should remain in place over the winter period. 28% said that they supported the Scottish Government approach to remove the mandatory wearing of face coverings as soon as it is able, with only 8% stating that they should be removed immediately. Figure 6 below details the full results to this question.

**Figure 6: The Scottish Government has indicated that it intends to remove the requirement for mandatory face coverings in secondary school classes as soon as it is able. Which of the following statements best matches your view on this? Secondary sector responses only<sup>4</sup>**



Total responses: 5,166

<sup>4</sup> This question was posed to all members. Whilst there wasn't considerable difference between each of the sectors, the views of secondary sector members only have been presented here as this question relates directly to their working environment.

## Member comments on face coverings

In response to the question on the use of face coverings a further 1,409 comments were left in response to this. There is a small majority of members in favour of wearing face masks over the winter period with only a small minority favouring no masks. Many members highlighted their concerns over the ever-changing environment when managing the pandemic, not least the newest variant- omicron.

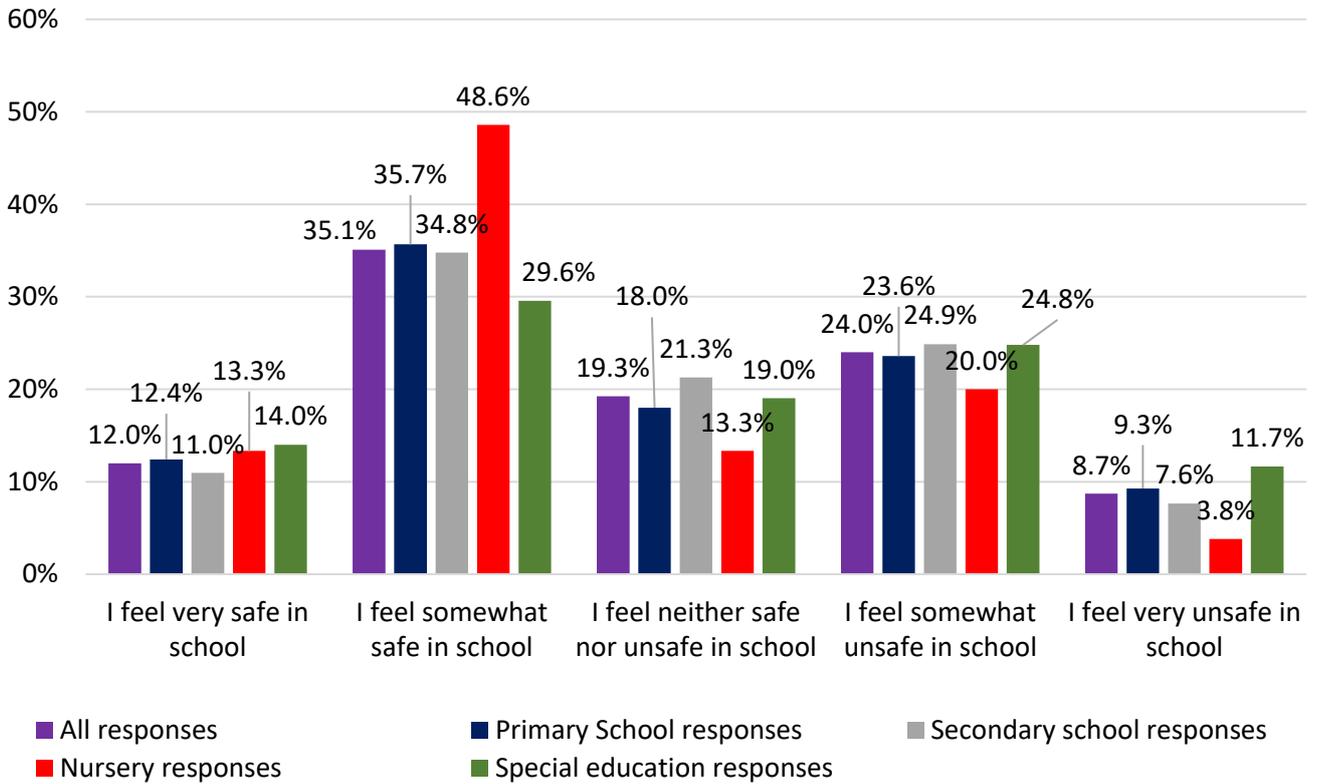
Some members within the primary sector highlighted that they believed there should be greater use with older pupils in primary school. There were also considerable concerns raised from members who had underlying health conditions who believe that masks should continue to be worn as there is evidence suggesting that they do curb infection spread.

- “Given the emerging variants, this is more essential than ever, as it has proven effectiveness, however, 50% of pupils don't wear them properly and have to be requested to keep them over their noses.”
- “Pupils are already removing them and this is not being addressed.”
- “I am hearing impaired and would prefer no masks but accept that they are necessary during the pandemic.”
- “It is becoming increasingly difficult to manage this during social times. Young people are consistently wearing a face covering in class.”
- “I caught Covid probably at school this session & feel vulnerable in a small classroom with max size 30 classes up to 7 times a day.”
- “As in Primary Sector a third of my class of 33 have had covid so definitely face coverings essential to protect self.”
- “I think it should be extended to upper stages in Primary school.”
- “I think face coverings limit infection spread, it's the least we can do and I think it works. I know from family in Spain that they have very few Covid cases but all children wear masks as do teachers and all generally comply with this, it seems to work.”
- “Evidence clearly shows that masks work. It would be premature of us to stop using them over the winter months. As someone with a weakened immune system I would feel extremely vulnerable if face coverings were abolished. Working in a school with a health condition or with people at home with health conditions is very concerning and causes a lot of worry for those going into school. This is not only my personal experience but that of other teachers I have spoken to who have vulnerable family members at home. We are all worried and removing the masks will only increase stress levels for teachers.”

## Feeling safe in school

The final question within the COVID-19 section asked members how “COVID safe” they felt with the current mitigations in place. Figure 7 below shows the responses from members across different sectors.

**Figure 7: With the current mitigations in place when you are in school how “Covid safe” do you feel?<sup>5</sup>**



Total responses: 14,770

Less than half (47%) of all respondents said they felt safe in school, reflecting the ongoing concerns around COVID-19 and its spread within schools. That around half of respondents are anxious about their safety is a matter of concern from a mental health and wellbeing health and safety perspective. Members also reported having to balance improved ventilation with working in a comfortable environment, and as the temperatures are expected to drop further through the winter months this is likely to be an ongoing issue.

Those working within nursery education were the most likely to report feeling “COVID safe”, with 62% reporting that they felt “very” or “somewhat” safe in school. Conversely, those working in special education were the least likely to say they felt safe at school with only 44% saying they felt “very” or “somewhat” safe. 46% of those in secondary, and 48% of those in primary schools reported feeling “very” or “somewhat” safe in school.

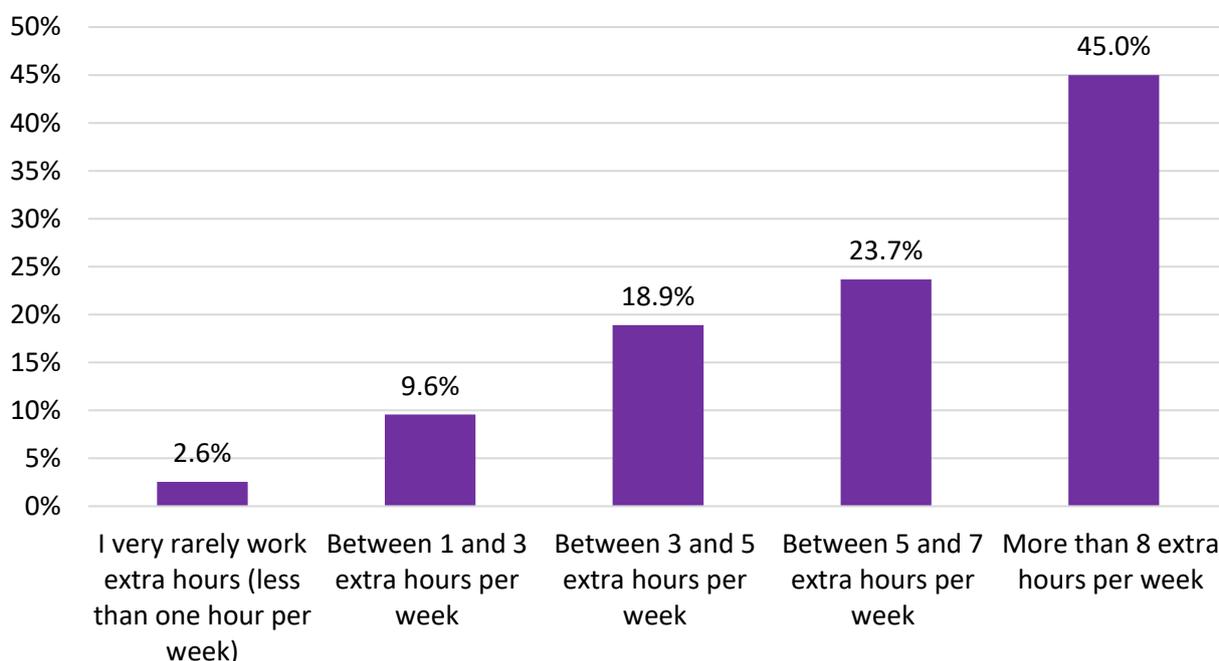
<sup>5</sup> Within the answer choices the options of “I don’t know” and “not applicable” were also available. Due to the very low numbers recoding this these values have been omitted from this graph. The percentages represented here at the totals with all answers included and have not been adjusted to remove the omitted data.

The results from these questions shows that the concerns around COVID-19 remain very real to those working in schools. Around a third of respondents felt unsafe in school. All possible mitigations must be considered to improve our school environments.

## Section 3 - Workload

Working during a global pandemic has further compounded the longstanding issues around teacher workload. The EIS continues to campaign for greater resources, higher staff numbers and an end to bureaucratic tasks that do not improve pupil learning or experiences. The views highlighted within this section demonstrate the urgency needed to tackle teacher workload.

**Figure 8: How many hours a week outside of your contracted hours do you usually work? (35 for 1FTE)<sup>6</sup>**



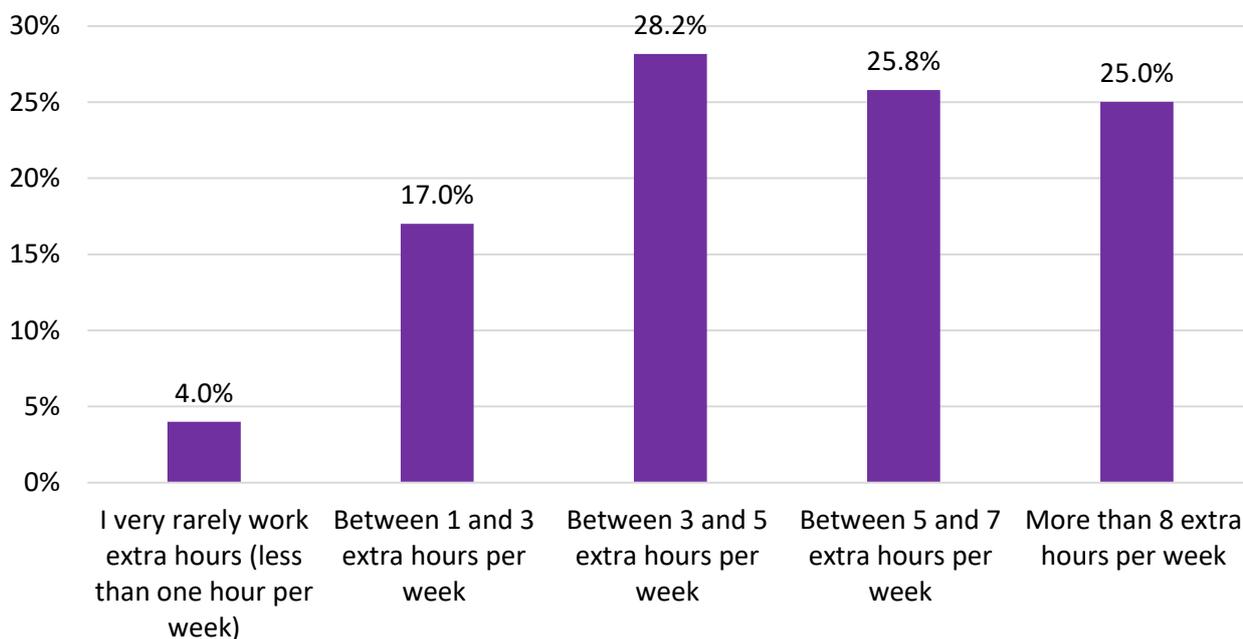
Total responses: 14,464

When asked how many extra hours a week outside of their contracted hours they carried out, almost half of respondents indicated that they work more than 8 extra hours per week. This would equate to more than an extra day of work, every week, for a considerable number of our members.

Members were asked to identify if they worked part-time. When this is cross referenced with the question above, we can see that part-time members are also working considerably longer hours than they are contracted for. 26% of those working part-time said they worked more than 5 extra hours, and a further 25% said they worked more than 8 extra hours per week as shown in figure 9.

<sup>6</sup> A “not applicable” option was available for this question. The small number of respondents who selected this option have not been included, and all totals have been adjusted to reflect the percentages of eligible members only.

**Figure 9: How many hours a week outside of your contracted hours do you usually work? (35 for 1FTE) responses from those working part-time<sup>7</sup>**



Total responses: 3,129

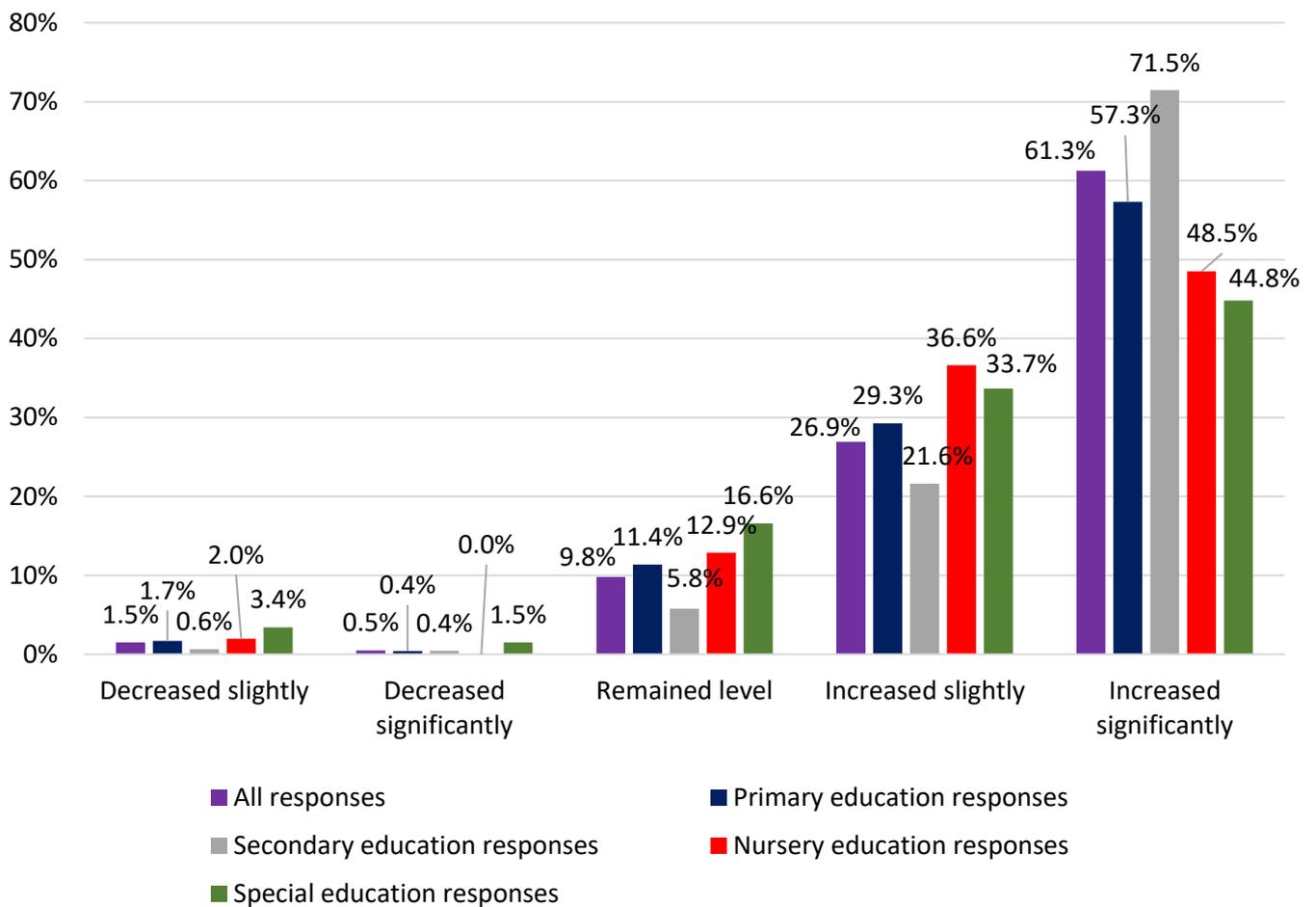
When asked specifically how the pandemic had affected their workload, just over a quarter said that it has slightly increased their workload, and just over 60% said that it had increased significantly. When broken down by sector, it is clear that there has been an increase in workload across all sectors. Those working in the secondary sector were most likely to describe the increased workload as “significant”, as shown in figure 10 below.

Members were also able to leave additional comments under this question. 2,168 further comments were left in response to the workload generated during the pandemic, with many members highlighting that moving to remote, or blended learning added a considerable amount of work as everything had to be made accessible online whilst schools were closed, or pupils were absent.

Members also highlighted that sanitising workspaces and ensuring that all COVID mitigations are followed often disrupts their lessons and adds to their workload. Some members also highlighted that their engagements from parents had increased, especially when pupils had missed time out of school. A selection of these comments has been included below.

<sup>7</sup> A “not applicable” option was available for this question. The small number of respondents who selected this option have not been included, and all totals have been adjusted to reflect the percentages of eligible members only.

**Figure 10: Over the period of the pandemic, has workload...**



Total responses: 14,257

**Member comments on workload during the pandemic**

- “I have found it took time to adapt to online learning, I spent a lot of time feeling I had to be visible online for the kids outside of 'normal working hours' to cater for those who couldn't do school work when parents/carers were working. Then upon the return to school, changing the way we teach (e.g. no group work etc) has meant completely changing my style of teaching. Considering I'm only 1 year post probation, it has been a big learning curve. Now that we are returning to more 'normality', I find that there's extra school things (e.g. CATs, working groups/parties) on top of lesson planning, marking and professional learning (that were previously ceased) and I struggle to fit everything in.”
- “The level of engagement with parents has increased so the expectation is there, the feeling of responsibility and accountability means you want to respond straight away so the energy can be put on other things. The amount of attachment behaviour takes longer to manage and get the learner in a place they can learn. The anxiety felt by parents and carers also has increased so they are more demanding on your reassurance and communication. Despite the time missed and the blending learning provision given, the expectations for attainment and covering all we are expected has not changed.”
- “This is due to the fact that we have had to change our way of working. Putting more things online just in case and having everything ready to pick up and go just in case.”

- “So many extra expectations with no acknowledgement of the time. It’s stressful.”
- “Maintaining digital classrooms is now expected for pupils absent/isolating. Digital classrooms also being used for homework issue and correction.”
- “As a Head Teacher, I do not get to the daily tasks as I am continually trying to support staff. We are covering classes for absent staff, cover staggered breaks and lunch times, ensuring young people are wearing face coverings during period change over, dealing with poor behaviour, supporting young people with increased mental health issues, preparing for virtual parent evenings etc. It means majority of the strategic work is being done after the school day or at home.”
- “Staff are being asked to help more with pupil wellbeing. I’m currently doing lunch duty, learning Zone, wellbeing mentor UCAS reference writing – yes I can say no but really feel the school is under pressure just now. The biggest issue is that I’m starting to see pupil self-isolate again. The fact that different pupils miss different 10-day blocks means there is a lot of catching up to do and 1 supported study after school will not fix it as every pupil is missing a different block of lessons.”
- “Teachers assessing exams instead of the SQA massively increased teacher workload.”
- “During lockdown everyone got familiar with Google classroom. Now that we are back at school we still have Google classroom running to upload photos from children’s work, homework, etc. and this is all parallel to being back at school, so the workload is double.”
- “We have more cleaning, reading of guidance, risk assessments & policy changes, working harder to keep families involved, working on staff well-being, covering isolation and Covid illnesses, working in small pods, changing our routine constantly...”
- “For a practical subject, there’s so much more thought involved in how everything is done; a lot of sanitising; a lot of getting out/putting away of equipment.”
- “There is less distinction between work and life balance. We could be contacted by parents outwith working hours. Lessons took much longer to prepare online than in the classroom. The technology was challenging for me which meant work took me longer to prepare.”
- “Due to staffing shortages and COVID mitigations I am required to be in class or in the playground/dining hall during staggered playtimes/lunchtimes so my usual responsibilities have to often be completed at home or don’t get done at all.”
- “I enjoyed that during the last year, a lot of extraneous and frustrating extra jobs and initiatives were taken off our plates. Now they are back with a vengeance. Also, of course, the SQA work this year was ridiculous and the remuneration poor.”

Members were then asked what were the 3 main drivers of workload. When this is broken down by sector it is clear that some issues are far more pressing for some sectors than others, as Table 1 indicates.

The issue driving workload that was most reported by those in primary education was meeting the additional support needs of pupils, including meeting their mental health-related support needs, with 66% of respondents highlighting this. In secondary schools it was providing remote learning for absent pupils whilst also teaching in school, with 68% of respondents selecting this as a key driver of workload. 73% of those working in nursery education highlighted that keeping up to date with Scottish Government COVID safety guidance was a significant workload issue. Inadequate staffing levels was a top 3 issue across all 3 sectors, but it was the most noted issue within special education with 76% of respondents highlighting this.

Managing the behaviour of pupils was also flagged as a significant issue within the secondary sector as 64% of members stated it added significantly to their workload. This was also a concern for those in the primary and special education sectors with 49% and 43% of respondents noting this as a workload driver.

**Table 1: Which of the following have significantly added to your workload in the past 12 months? (Please tick the top 3 issues)<sup>8</sup>**

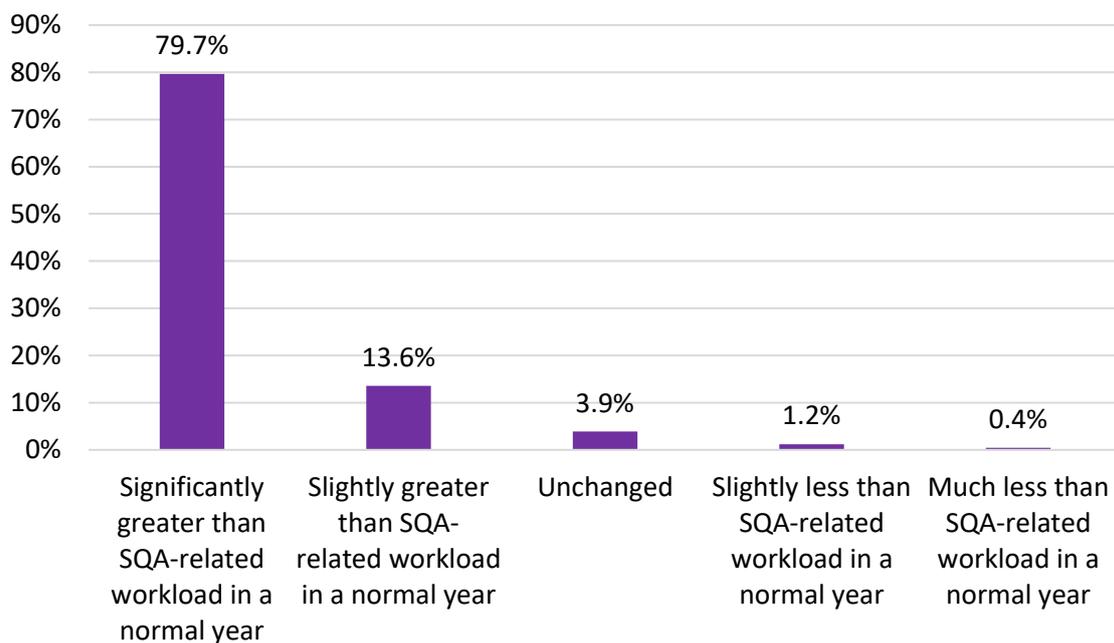
	All responses	Primary education responses	Secondary education responses	Nursery education responses	Special education responses
Keeping up to date with Scottish Government COVID safety guidance	33.3%	35.5%	28.0%	<b>72.5%</b>	35.9%
Managing COVID safety protocols	36.8%	34.7%	39.8%	<b>55.9%</b>	37.4%
Changes to pedagogy as a result of COVID protocols	49.5%	<b>48.9%</b>	52.8%	50.0%	40.5%
Responding to increased management requests related to the pandemic	35.0%	33.8%	37.7%	34.3%	30.2%
Adoption of a 'business as usual' approach by management/local authority at the same time as responding to the pandemic	53.0%	57.3%	48.7%	34.3%	<b>46.0%</b>
Managing the behaviour of students in the context of the pandemic	<b>52.9%</b>	48.7%	<b>63.5%</b>	24.5%	43.1%
Providing remote learning for absent pupils, whilst also teaching classes in school	45.8%	34.9%	<b>67.6%</b>	22.5%	31.6%
Meeting the additional support needs of pupils, including mental health-related support needs	<b>61.0%</b>	<b>66.4%</b>	54.1%	40.2%	<b>55.4%</b>
Violence/abuse in the classroom	21.0%	21.6%	19.7%	5.9%	29.8%
Additional COVID-related tasks which require training/professional learning	12.8%	12.8%	11.8%	27.5%	14.0%
Completing additional paperwork/admin/bureaucracy	39.3%	39.1%	41.2%	35.3%	32.3%
Inadequate staffing levels/ staff shortages/ lack of cover/ unfilled vacancies	<b>58.8%</b>	<b>59.5%</b>	<b>56.2%</b>	<b>69.6%</b>	<b>77.5%</b>
The physical environment of my workplace e.g. ventilation, heating, lighting, sound, insulation	20.5%	20.0%	20.3%	15.7%	23.9%
SQA procedures	19.0%	0.3%	51.0%	0.0%	7.6%
Other (please specify)	5.6%	5.0%	5.6%	8.8%	5.4%
Total responses	14,300				

<sup>8</sup> Top 3 highest responses in each column have been highlighted.

Some additional workload concerns were highlighted within the “other” option. Comments left in response to this option included issues related to funding cuts to staff and services, supporting students in their placements during the pandemic, as well as the increase in paperwork demands. Many people left comments within this section highlighting the toll that this increased workload is having on their stress levels, mental health and wellbeing.

Those who identified themselves as secondary school teachers were then asked specifically about the workload generated from the Alternative Certification Model last session. Figure 11 below details their responses.

**Figure 11: For Secondary teachers only: In helping to deliver the Alternative Certification Model last session, I found the amount of SQA-related workload to be...<sup>9</sup>**



Total responses: 4,855

As figure 11 shows members have reported the Alternative Certification Model significantly increased their workload in comparison to a normal year. 93% of respondents noted an increase in their workload, with 80% describing this increase as significant.

As a follow up question, secondary school teachers were then asked to reflect on which aspects of the Alternative Certification Model were the most significant drivers of workload. Respondents were asked to highlight the top 3 areas. The most reported drivers of workload through the Alternative Certification Model were: marking assessments, school-based quality assurance (e.g. setting assessments and cross marking) and local authority-based quality assurance activity (e.g. cross-marking, moderation meetings, etc.). These insights should inform any future changes to national qualifications certification to ensure that teachers’ workload is not further impacted.

<sup>9</sup> A “not applicable” option was available for this question. The small number of respondents who selected this option have not been included, and all totals have been adjusted to reflect the percentages of eligible members only.

**Table 2: Where you have identified a greater level of workload in response to Q19, which aspects of the Alternative Certification Model were the most significant drivers of additional workload? (Select the top 3)<sup>1011</sup>**

	All responses
Taking part in Understanding Standards PL	32.2%
Preparing assessments	61.4%
Marking assessments	<b>79.9%</b>
Recording assessment outcomes	47.9%
School-based quality assurance- e.g. setting assessments and cross marking	<b>73.8%</b>
Local authority-based quality assurance activity- e.g. cross-marking, moderation meetings, etc.	<b>64.5%</b>
SQA-led national sampling- i.e. sending assessment evidence to the SQA, considering feedback and making any necessary adjustments to assessment approaches	15%
Sharing of provisional results with students	22.8%
Liaison with parents regarding their children’s provisional results	16.5%
Submitting provisional results to the SQA	18.8%
Handling SQA follow up after the submission of provisional results	8.7%
Total responses	4,744

Figures 12 and 13 below look at how satisfied members are with their workload. 74% of all respondents said they were either dissatisfied or very dissatisfied with their workload levels generally. Those working in the secondary, and special education sectors reported higher levels of dissatisfaction than those in nursery and primary education.

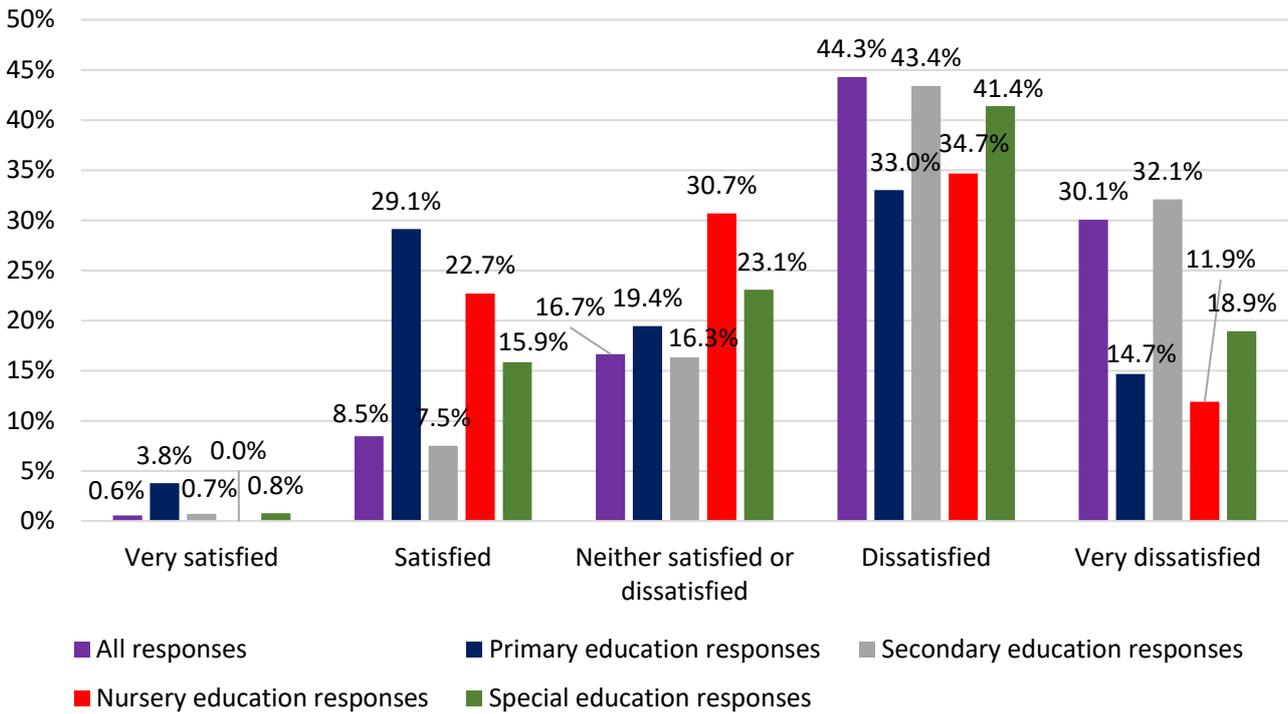
When broken down by those working part-time we can see there are ever so slightly higher levels of satisfaction, however there are still high levels of dissatisfaction, with 69% of part-time workers stating they are dissatisfied or very dissatisfied with their workload levels generally.

There were a total of 1,633 comments left in response to this question. Many highlighted that workload only seems to be getting worse, despite raising concerns for some time. Others reiterated the additional workload that has been created through the pandemic. With teacher absences high many members reported the strain that this has put on their working week, and them as individuals as they try to balance too many commitments. There were also comments from members who had made a choice to go part-time but found that their workload levels were still unmanageable. A selection of the comments submitted have been included below.

<sup>10</sup> A “not applicable” option was available for this question. The small number of respondents who selected this option have not been included, and all totals have been adjusted to reflect the percentages of eligible members only.

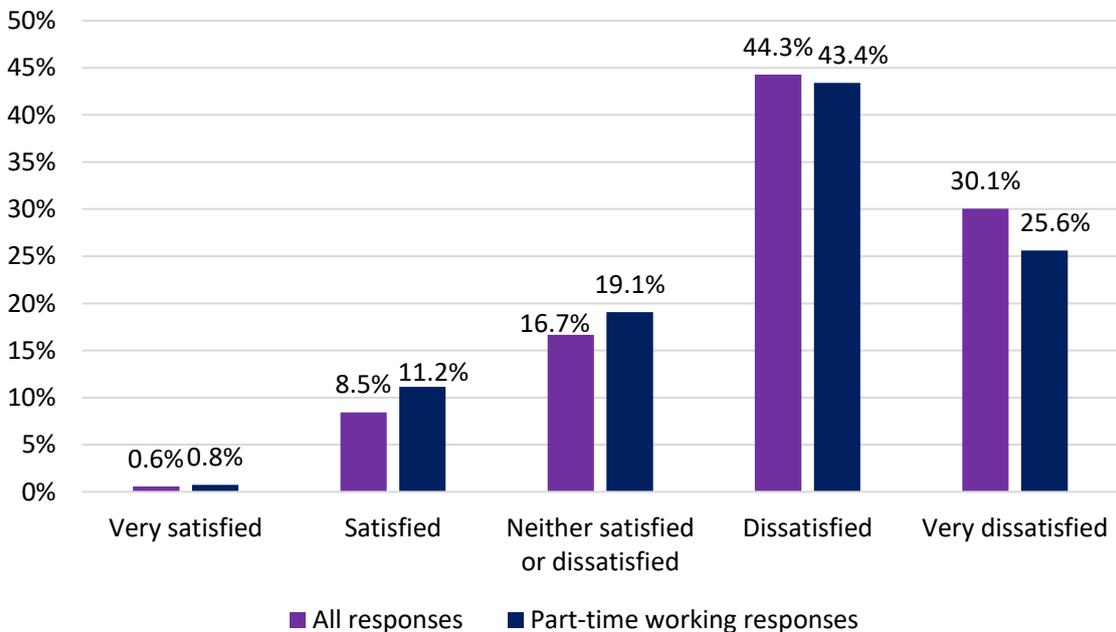
<sup>11</sup> Top 3 highest responses have been highlighted in the responses column.

**Figure 12: How satisfied are you with your workload levels generally? By sector**



Total responses: 14,123

**Figure 13: How satisfied are you with your workload levels generally? Responses from those working part-time.**



Total responses: 3,082

## Member comments on workload levels

- “Workload is even worse than a few years ago, when we first tried alerting the Scottish Government to issues. (GIRFEC is one particular issue.)”
- “I have had to cover classes on an almost daily basis recently and cannot meet my own learning support remit, which is impacting upon pupil support required.”
- “Even working part-time I regularly work 7/8 hours more each week trying to complete required paperwork as well as plan for multi-composite (P1-7class) teaching and learning.”
- “I feel the job is now becoming an admin job and we have much less time for planning and resourcing quality lessons.”
- “The amount of reporting to parents on a weekly basis is not manageable. Phone calls, meetings. Seesaw, Google Classrooms and Twitter posts.”
- “It is not possible to do my work within my working hours, I never feel on top of things. I am in a management post in nursery class and we have had our nursery teacher taken out permanently and this extra work load has landed on me with no support, help or advice from Early Years. This was not in my remit we are in a large nursery and my responsibilities have increased significantly over the last few years.”
- “I find keeping up with targets in learning (which are of course, crucial) stressful when children are off, staff have been absent including myself... Including trying to 'catch up' from previous lockdown periods, is stressful. You absolutely do not want your children to be behind in their learning and trying to plan, deliver learning and support emotional needs is difficult.”
- “I regularly consider leaving the profession.”
- “Expectation on teachers is far too high, every member of staff feels under pressure and is unhappy. I have yet to meet a happy staff member.”
- “I am at an all-time low in terms of workload. I am tired of working at home and the expectations are definitely there to do that. I currently have 3 meetings a week after school which only leaves me very limited time for planning and reporting. The 35-hour week does not feel achievable with the current expectations from my establishment.”
- “More and more is expected on less and less. We have minimal non-contact, short notice cover demands, heavy paper trail to complete for underachieving pupils, poor resources and no budget for new materials or even a repair budget and yet more new initiatives come. And despite token recognition of the pandemic on pupil behaviour, attitude and mental health there still feels like a culture of poor behaviour therefore it must be your poor lessons. Very demoralising.”

**Table 3: In the past 12 months have you seen an improvement in any of the areas below? (please tick all that apply)<sup>12</sup>**

	All responses	Primary education responses	Secondary education responses	Nursery education responses	Special education responses
Greater professional autonomy	7.1%	7.4%	5.7%	11%	9.3%
The ability to network with and beyond your school	<b>14.2%</b>	<b>9.9%</b>	<b>19.9%</b>	<b>23.1%</b>	<b>13.3%</b>
School control of finances	2%	2.3%	1.7%	1.1%	1%
More diverse career pathways	1.4%	0.7%	2.3%	3.3%	1.2%
Greater school freedom from local authority control	1.2%	1.4%	1.1%	0%	0.7%
More opportunity for collaborative practice	<b>11.7%</b>	9.7%	<b>13.9%</b>	<b>27.5%</b>	<b>10.3%</b>
Collegiate practice	<b>11.7%</b>	<b>11.0%</b>	13.3%	12.1%	9.9%
Distributive leadership model	6.2%	6.7%	4.9%	12.1%	7.8%
I have not seen an improvement in any of these areas	<b>64.5%</b>	<b>67.6%</b>	<b>61.1%</b>	<b>47.3%</b>	<b>66.8%</b>
Other (please specify)	4.2%	3.8%	4.1%	5.5%	5.0%
Total responses	13,447				

Respondents were then asked if they had seen any improvement in some areas within the workplace. Overwhelmingly respondents noted that they had seen no improvement in the areas listed within table 3 above. Respondents across all sectors did note a small improvement in the ability to network with and beyond their school. This was highlighted more keenly from those in the nursery education sector with just under a quarter of respondents noting this improvement. Those working in the nursery education sector were also more than twice as likely to report more opportunity for collaborative practice than their counterparts in primary, secondary or special education.

Those working within the special education sector were the most likely to record no improvements in any of the listed options. They were also the least likely to record any improvement in collegiate practice.

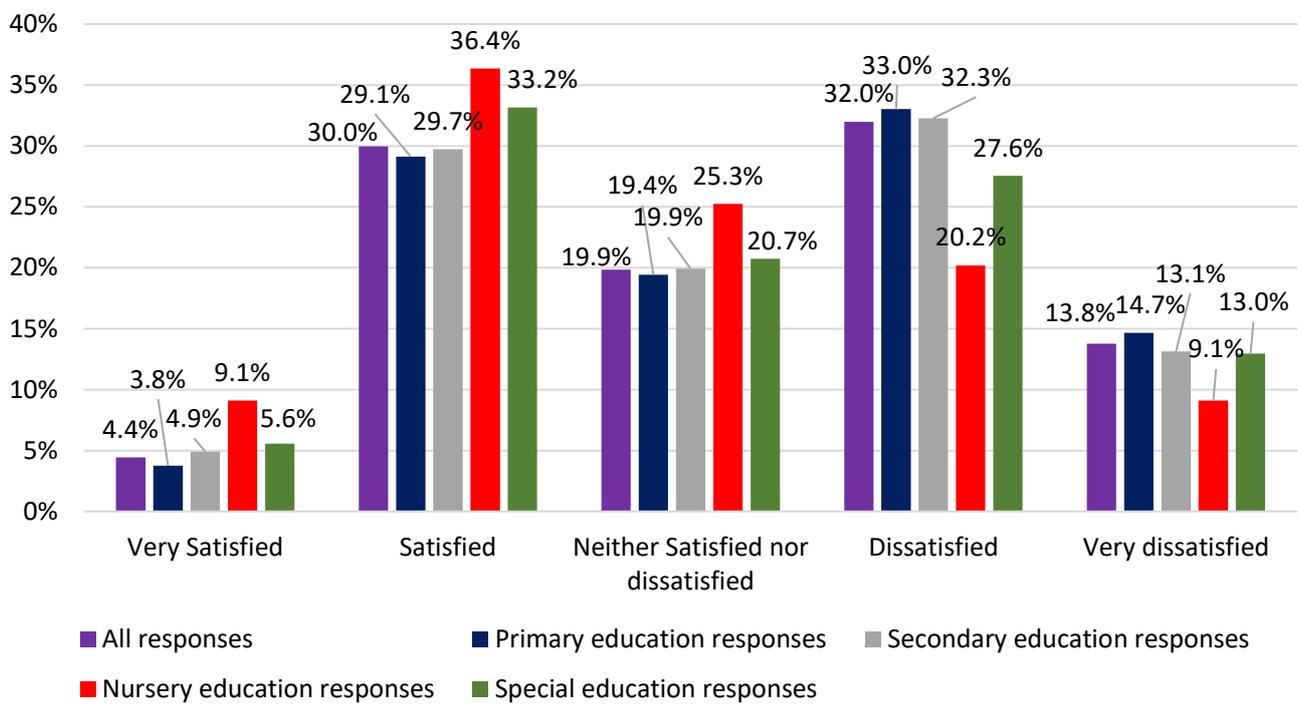
Within the “other” option the comments received reflected largely on the huge commitments in place for all staff, making time for development and improved practice much more difficult. Some also noted a top-down effect – as the pressure and workload had mounted from those above them, this then spilled across the workforce making collegiate practice more challenging. A few respondents noted that not only had they seen no improvements, they believed that some of the progress made previously had been rolled back with the current working environment and workload demands.

<sup>12</sup> Top 3 highest responses in each column have been highlighted.

The final question within this section looked at the overall levels of job satisfaction. 46% of all respondents said that they were either dissatisfied or very dissatisfied with their job overall. Figures 14 and 15 examine the levels of job satisfaction broken down by sector and by length of service. Figure 14 shows that across all sectors, those working in the nursery education sector are most likely to be satisfied with their job overall (46%), with those working in primary education the least likely to say they are satisfied or very satisfied with their job overall (33%).

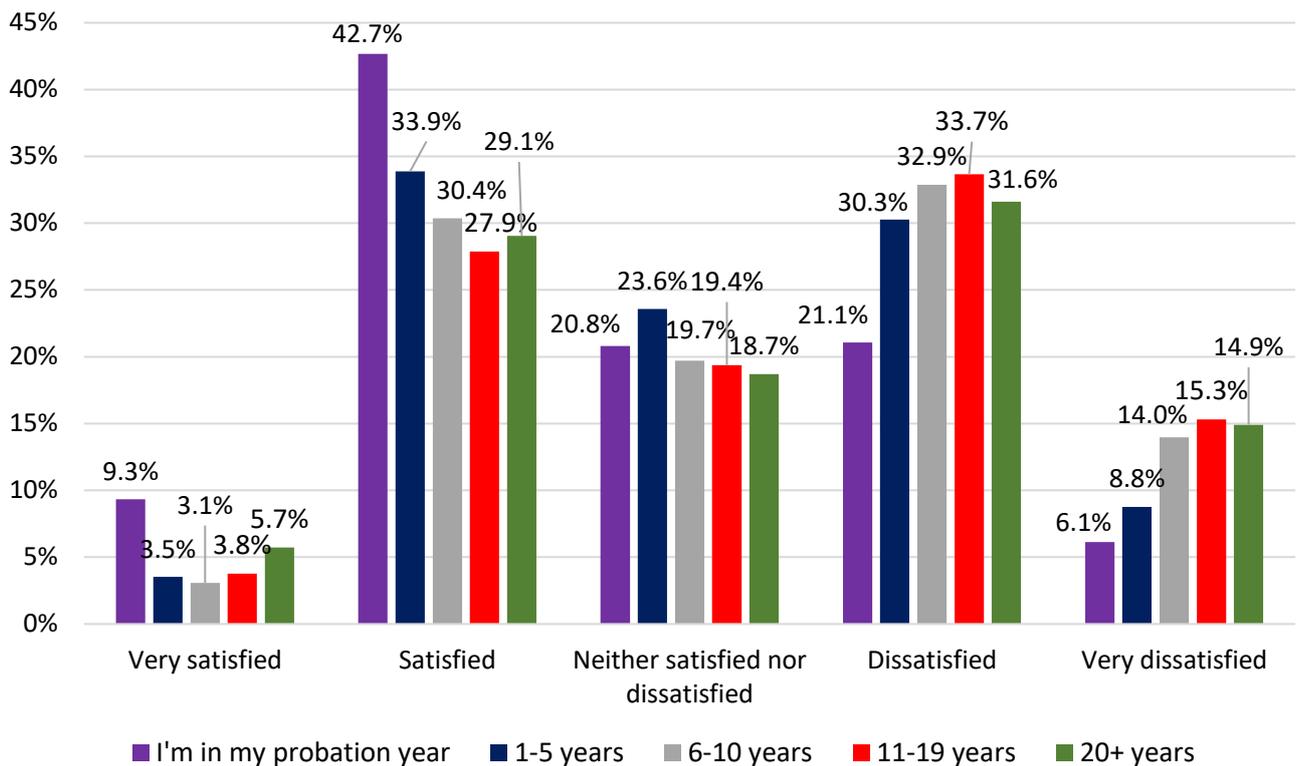
When looking at job satisfaction by length of service (figure 15) there is a clear decline in satisfaction beyond probation year and a general trend of decreasing satisfaction for each gradient between 1 and 19 years of teaching experience.

**Figure 14: How satisfied are you with your job overall? By sector**



Total responses: 13,993

**Figure 15: How satisfied are you with your job overall? By length of time teaching**



Total responses: 13,993

There were 2,033 additional comments left under this question. Repeatedly, the issues of workload and under-resourcing were cited as the reasons for diminishing job satisfaction. It's also clear from many of the comments left that our members are still passionate about the job they do, and have real affection for their students. However, not feeling equipped to support pupils with additional support needs and increasing demands from their employers has become a key source of stress for many.

#### Member comments on job satisfaction

- "I love my job and the pupils, but the workload is making my job increasingly undoable."
- "This is due to the fact that we are dealing with more and more additional support needs that we aren't properly trained for. It is affecting the teaching and learning within the class and I feel we are just left to get on with it. It is very exhausting at times."
- "I am just trying to do the best, to find my groove so I am not so deflated, talking myself down or focusing on what I haven't done yet."
- "Finding it more and more stressful."
- "I feel like probationers are treated like they have no value as human beings. This makes it hard to focus on the pupils and the teaching."
- "The level of violence in the classroom and across the school (primary) is very concerning and causes me anxiety most days. I have been spat at, threatened with wooden sticks, pushed, verbally abused and threatened to be hit with heavy objects (only missed due to my hand being out). I am exhausted, anxious and emotionally and mentally drained."

- “The amount of cover that I have been providing makes it extremely difficult to keep on top of my own workload.”
- “Too many S1 pupils with significant social, behavioural and educational needs with very little class support; more and more each year. So hard to Get It Right for them all; very challenging, and management hide...”
- “This is very hard to answer, because, in essence, Guidance is the best job in the world. However, lack of supports and resources, and unmanageable workload is making it virtually impossible.”
- “I love my job and the children but the increased workload and stress on us from SMT to raise attainment after lockdowns as well as increased online learning expectations are making burnout a serious likelihood for me.”
- “I can’t see myself being able to do this job for another 30+ years if the increased workload pressures are maintained, or worse, added to.”
- “I have just finished my probation year and working full time and currently finding this year 10 times harder than last year. No support in place at all for NQTs.”

## Section 4 – Health and Wellbeing

The final section of the 2021 EIS member survey looked at teacher health and wellbeing. The expectations and demands placed on teachers are great, and have become greater still during the COVID-19 pandemic. As well as providing learning support, teachers are often expected to support their pupils with a range of social, emotional and behavioural needs which can be a physically and emotionally demanding aspect of the job.

These final questions seek to understand the level of stress that teachers have been experiencing, and what further support is needed. The first question, explored in table 4 shows which aspects of members' working lives have caused them the greatest stress in the past 12 months.

Inadequate staffing levels/ staff shortages/ lack of cover / unfilled vacancies was the most mentioned source of stress in both nursery and special education and was within the top 3 most reported issues for primary education. The adoption of a 'business as usual' approach by management/ local authority at the same time as dealing with the pandemic was within the top 3 greatest causes of stress within both primary and secondary education. Meeting the additional support needs of pupils was another top 3 issue reported by primary, secondary, and special education members.

Anxiety regarding protection from infection at work was a top 3 issue for both nursery and special education and was also highly noted by those in the primary and secondary education sectors. Responses captured in the "other" answer option included the pressures from management to deliver new initiatives and raising attainment goals. There were several comments that reflected the paperwork demands that were placed on them, even outwith the context of the COVID-19 pandemic. Some of the comments noted that they found it very difficult to tick only 3 options from the list given as every single one of the options given caused them considerable stress. A few members also noted the stress they felt as they did not have a permanent post within their school, despite seeking this security.

Managing pupil behaviour was also noted as a considerable workload issue, especially for those working in secondary education. Violence in the classroom was also of notable concern within the findings outlined earlier. This was noted by just over a fifth of all members, although this reported by just under a third of those working in special education.

Again, members highlighted within this question the extra support they are providing to families in the context of the COVID-19 pandemic. Within the "other" option many comments made reference to the high levels of anxiety that parents are facing in relation to infection numbers at school. This has then further added to the stress of members as they regularly update parents and families to offer reassurance.

**Table 4: Which of the following have created the greatest stress in the past 12 months? (Please tick the top 3 issues)<sup>13</sup>**

	All responses	Primary education responses	Secondary education responses	Nursery education responses	Special education responses
Anxiety regarding protection from infection at work	41.7%	44.5%	36.7%	<b>54.6%</b>	<b>43.8%</b>
Keeping up to date with Scottish Government Covid safety guidance	15.9%	17.2%	12.6%	36.1%	16.9%
Managing Covid safety protocols	24.1%	23.2%	24.7%	<b>44.3%</b>	23.6%
Changes to pedagogy as a result of Covid protocols	28.7%	28.4%	30.8%	29.9%	19.7%
Responding to increased management requests related to the pandemic	24.8%	24.4%	26.5%	19.6%	20.3%
Adoption of a 'business as usual' approach by management/local authority at the same time as responding to the pandemic	<b>45.6%</b>	<b>49.5%</b>	<b>41.6%</b>	38.1%	38.8%
Managing the behaviour of students in the context of the pandemic	40.0%	36.4%	<b>49.8%</b>	16.5%	28.3%
Providing remote learning for absent pupils, whilst also teaching classes in school	30.9%	22.6%	<b>47.3%</b>	14.4%	21.5%
Meeting the additional support needs of pupils, including mental health-related support needs	<b>45.3%</b>	<b>51.3%</b>	37.5%	28.9%	<b>42.4%</b>
Violence/abuse in the classroom	17.8%	18.7%	15.7%	4.1%	27.2%
Additional Covid-related tasks which require training/professional learning	7.4%	7.7%	6.5%	10.3%	6.6%
Completing additional paperwork/admin/bureaucracy	30.8%	30.5%	33.7%	20.6%	22.3%
Inadequate staffing levels/ staff shortages/ lack of cover/ unfilled vacancies	<b>44.7%</b>	<b>45%</b>	40.9%	<b>69.1%</b>	<b>68.8%</b>
The physical environment of my workplace e.g. ventilation, heating, lighting, sound, insulation	13.9%	13.6%	12.9%	10.3%	16.7%
SQA procedures	10.0%	0.1%	27.1%	0%	2.9%
Other (please specify)	5.9%	5.7%	5.5%	7.2%	7.1%
Total responses	13,815				

At the end of this question there was the opportunity for members to leave additional comments. A total of 1,338 comments were noted highlighting many of the issues that the COVID-19 pandemic has caused as well

<sup>13</sup> Top 3 highest responses in each column have been highlighted.

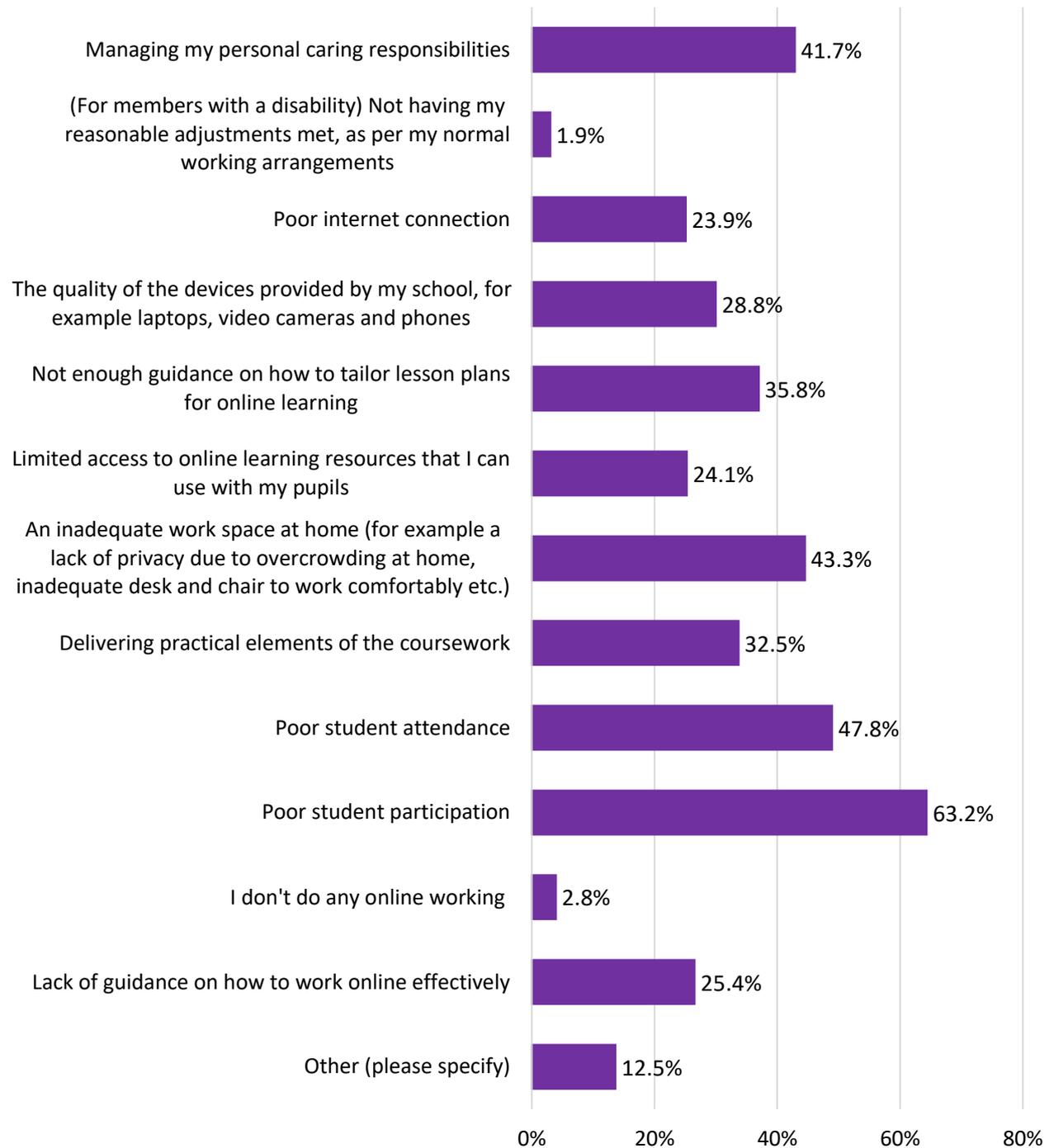
as the longstanding stressful issues within schools. Below is a sample of the comments left under this question.

### **Member comments on the sources of stress in the past 12 months**

- “I have never submitted so many disciplinary referrals, nor seen so many children struggle just to get along with one another. I find the ‘business as usual’ expectation is unrealistic. Possibly more PSE instead of once per week would redress the lack of formal assemblies to cascade expectations to pupils.”
- “I find having a positive case in my class very stressful, as I’m not seen as a close contact despite being in the same classroom as the child and teaching them. As I live with my parents (who are both over 60, and regularly see my grandparents (in their 80s and 90s) I then worry about if I am bringing covid into the home. I do my lateral flows, but then I know they aren’t 100% accurate. Plus I have to distance myself as best as I can from the child and adults who work in my school, yet I am allowed to sit next to friends in a restaurant (which I try not to do, to reduce the chances of getting covid), but not having a social life then affects my mental health.”
- “Teachers were ‘key workers’ when working through lockdown. No acknowledgement of this from management/ authority or pay offer. Disillusioned.”
- “It is concerning why we are expected to plan for observations and have the threat of HMI hanging over us now as well as trying to operate as business as usual when we are still wearing masks and in the middle of a pandemic.”
- “The last two years have been challenging but teachers and staff in schools have ensured young people got the best experience they could. There needs to be an acknowledgement of the amount of additional work staff undertook during this time.”
- “There needs to be more support for teachers who are in their first year out of their probationer year. Going from having a mentor/supporter in the school as well as someone in the council to having no support is so difficult. Especially if you have had to change to a different level, stage, school, council area or all of these!”
- “As a pupil support teacher the amount of requests for access to mental health counselling has increased dramatically.”
- “This year, in particular the impact of lockdowns is far more apparent. The children (P1) are coming to school without the same level of social skills, sharing, sitting quietly and listening, etc.”
- “It’s not the job it used to be and that makes me so very sad. My heart is still in the classroom but my head most definitely is not. The demand on teachers now is the greatest it has ever been and we are at burnout. We are trying to deal with teaching remotely and learning as we go, dealing with the mental health of our young people whilst trying to go about our job in a ‘business as usual’ way whilst remembering (or indeed, forgetting) that we have our own mental health and families to deal with. It is becoming impossible.”
- “Every one of the items in q23 have added to a very stressful time. We know that many people have been working in similarly stressful workplaces however teachers find ourselves now increasingly under more and more pressure as we try once again to adapt to those in higher places thinking we can work miracles with kids that have huge gaps we will not be able to plug.”

Next members were asked to detail the stresses related to extended online working. The full results of this question are displayed below in figure 16.

**Figure 16: The COVID-19 pandemic has meant that many EIS members worked online for an extended period. What were the stresses of extended online working? (tick all that apply)**



Total responses: 13,418

When looking at the stresses of extended online working, poor student attendance and participation was a key problem for the majority of respondents. Other notable sources of stress were managing personal caring responsibilities, and an inadequate workspace at home.

Within the “other” option members said they struggled to maintain a good work/life balance when their home also became their workplace. Members highlighted again the stresses that have occurred because of unrealistic expectations from managers or parents when learning was conducted online. Some respondents also noted that they had to provide some IT equipment themselves in order to facilitate their online working.

Some members also highlighted the strain of working at home during the school closures as they managed their own caring responsibilities for their own children or other family members.

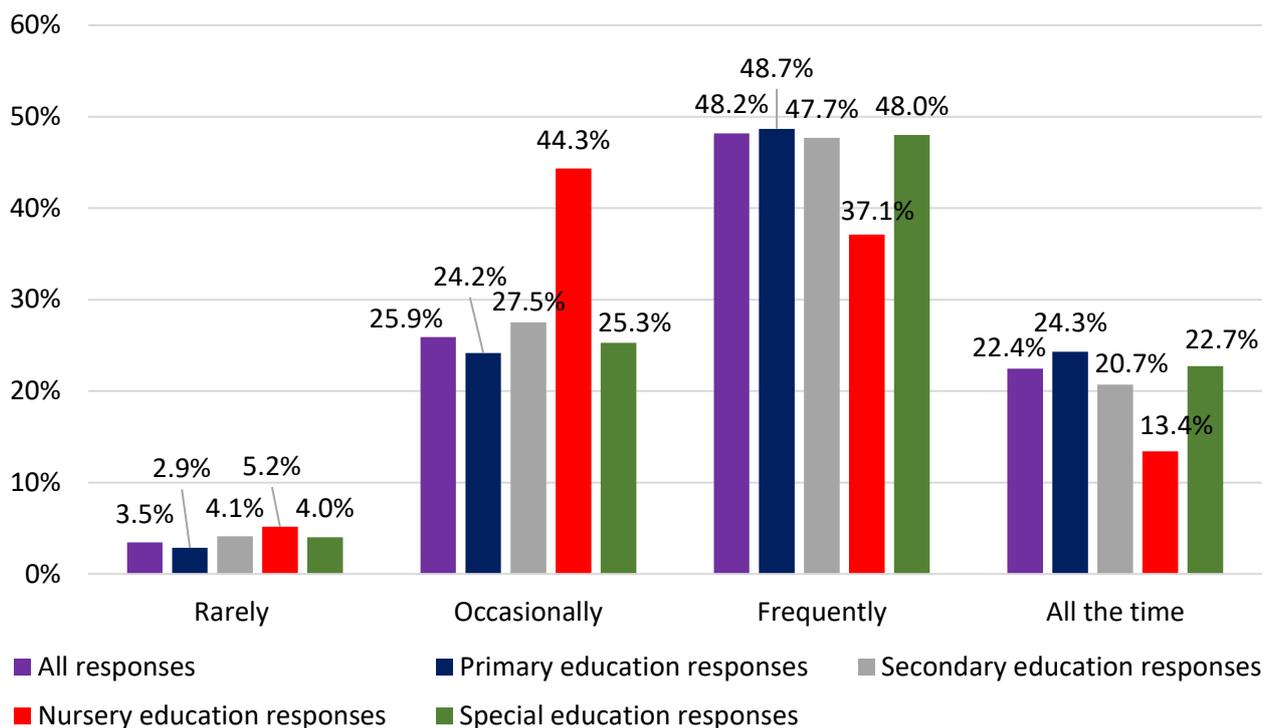
There were also a few comments left from members who were students during the school closure period meaning that they did not get the same level of experience before moving into their probation year. Some also noted their physical health deteriorating at this time due to extended periods of sitting at a computer screen.

There were a further 954 comments left in response to this question below are a selection of those submitted.

#### **Member comments on extended online learning**

- “Staff should've been provided with technology to do their jobs. Many people spent their own money to ensure they could teach online. This is unacceptable.”
- “Lack of separation between work/home, particularly in relation to pastoral care responsibilities.”
- “We need to recognise that many families have limited access to digital resources. This is despite the number of social inclusion iPads that were given by the council to distribute to families.”
- “Many children are now finding school difficult. The initial return was exciting for them, but many are struggling coming into school & want to be home with families- many of whom are still working from home.”
- “This was very stressful and the amount of work and preparation teachers had to do in comparison with the uptake of pupils participating fully didn't match.”
- “Colleagues helped each other through the stresses and obstacles. Very difficult delivering online live lessons when I have young children at home.”
- “I spent £2000 on my own tech. My local authority were not forthcoming with devices. We still have inadequate devices in school. Some areas are high tech but this is not across the school. Pupil access to tech is particularly poor.”
- “Whilst we were teaching from home we were still in the midst of an inspection cycle so we had the added burden from management to complete tasks & paperwork in preparation for our follow up visit.”
- “We didn't get any CPD on online learning after the first lockdown. During the second one we were expected to teach new topics but with no skill base or resources. Very stressful.”
- “Lack of clarity over what was expected of us - some were delivering online lessons, some weren't, some were told we weren't allowed to do live lessons, while others weren't told this. Lots of our resources had to be adapted or new ones created, which was massively time consuming.”

**Figure 17: In a typical week how often do you feel stressed within your job?**

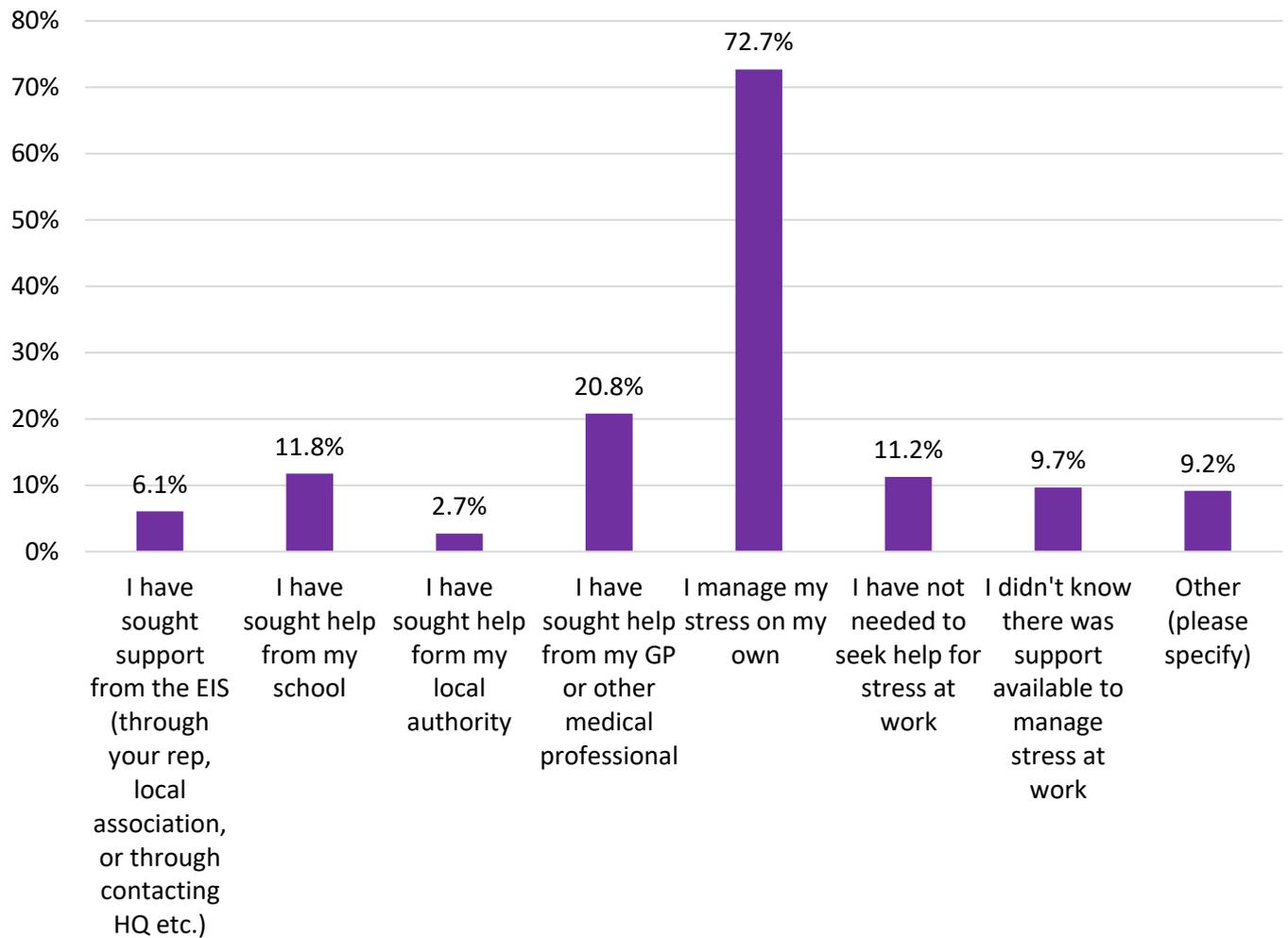


Total responses: 13,662

When asked how often they felt stressed within their job, members across all sectors reported high levels of stress. Over 60% of respondents said they felt stressed frequently or all of the time. Those working in the nursery sector were more likely to report that they felt stressed rarely or occasionally, however more than half of those working in nursery education said they felt stressed frequently or all of the time. These high levels of stress are not sustainable either for the individuals involved or for the teaching profession as a whole.

Members were then asked how they manage this stress (figure 18). The vast majority (73%) of respondents said that they manage this stress on their own, and only 3% said they had sought help from their local authority. Only 11% of respondents said they have not needed support for stress at work. This suggests that most of the teaching workforce not only needs support to manage the stresses of the job, but with so many managing this stress themselves they are also underserved in their professional environments.

**Figure 18: How have you managed your stress at work?**

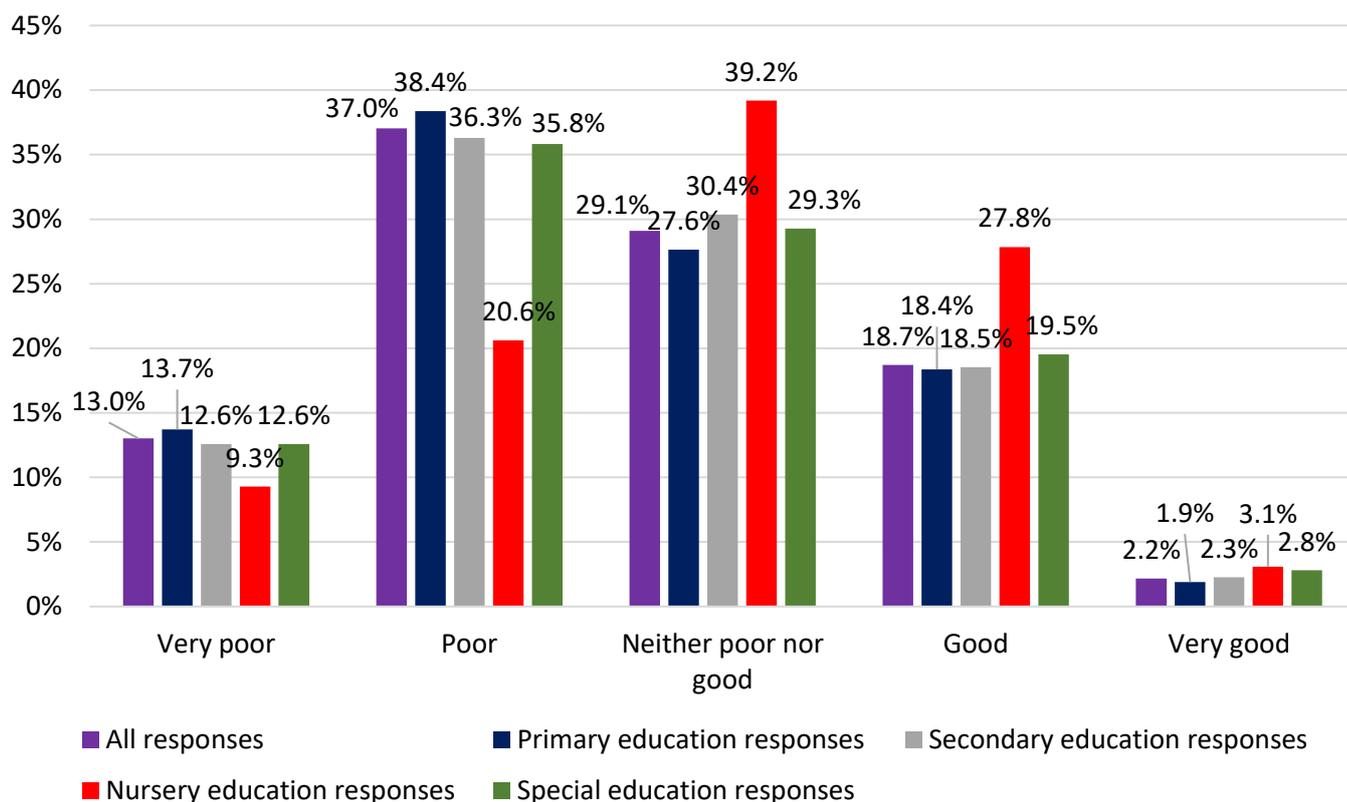


Total responses: 13,586

One of the final questions within the survey asked EIS members what level of wellbeing they have in their job overall. Based on the high levels of stress and excessive workload demands that have been demonstrated throughout this report, it is not surprising that EIS members also reported poor wellbeing within their job. 50% of respondents noted their wellbeing at work as poor or very poor, and only a fifth said they had good or very good wellbeing within their job overall.

Members were invited to leave any further comments after this question, and a total of 922 further responses were collected. Many of the comments left highlight just how badly their wellbeing has been affected over the past 12 months of teaching. A selection of these comments has been included below.

**Figure 19: What level of wellbeing would you say you feel within your job overall?**



Total responses: 13,622

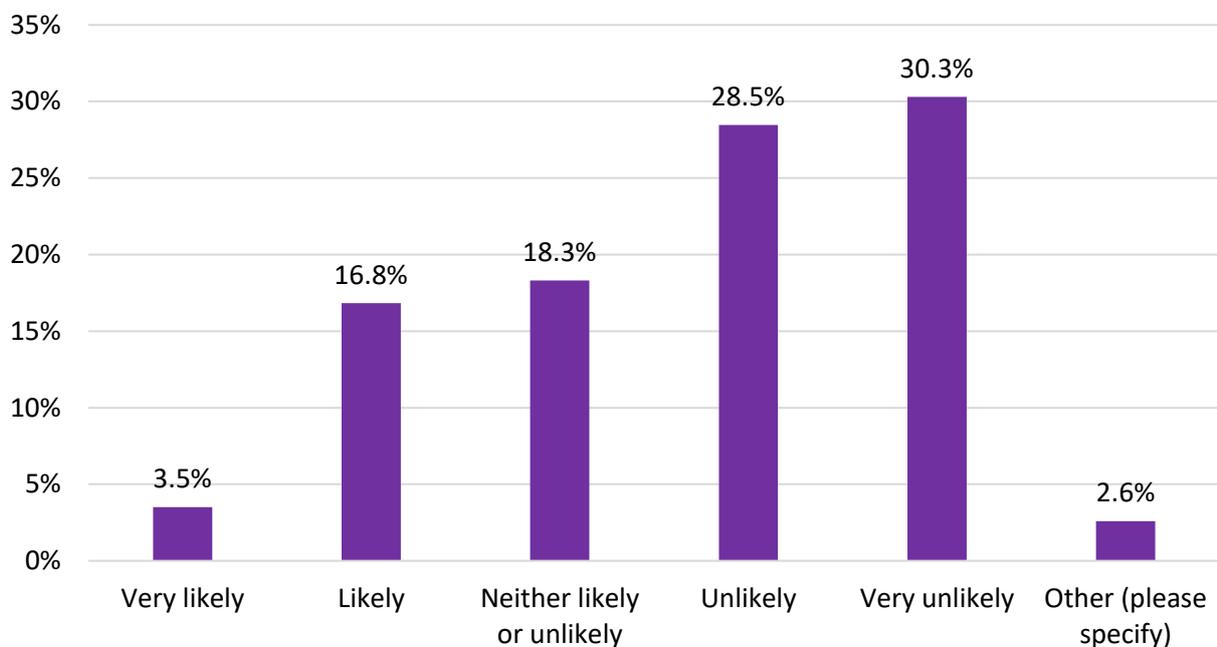
#### Member comments on their wellbeing

- “I’m very disappointed that a nurturing profession treats its staff this way.”
- “I feel very supported by the rest of my SLT team but find my workload cannot possibly be managed within a 35 hour working week.”
- “It feels like we are on a constant treadmill and never get to a point where things are done. Everything is tagged as being 'make this a priority' but everything is a priority.”
- “Staff afraid to mention stress or that expectations are too high.”
- “Love the kids and my colleagues. Stressed by everything else.”
- “Great team in school. Don’t find authority are realistic with demands- e.g. Assessment, tracking, attainment gaps, paperwork etc.”
- “I have an excellent head of the department and we are a very strong team.”
- “Don't feel we are being looked after properly.”
- “HMIe visit caused stress during pandemic.”
- “My life is centred on the class, my teaching practice, and focussing on the process of my probationary period. However, I do not feel this is sustainable beyond this or even the next year of teaching.”
- “Just constantly feel lack of trust and understanding of the difficulties of the job from local authority and government. Constant initiatives and need for data, constantly being told to improve this or that. The staff or children's wellbeing is not at their centre as government are only interested in

figures, not creating a happy and trustworthy profession that does not need to constantly be checked up on or given something else to do or blamed for something in society.”

The final question within the survey asked members how likely they would be to recommend teaching as a profession to take up. Almost 60% of respondents said they were unlikely or very unlikely to recommend teaching as a good profession to someone who is thinking of entering the profession. A small number of respondents ticked “other” as an option here, with some clarifying that with a lack of permanent contracts and suitable posts available many believe that it is harder to enter the profession at the moment. Others commented that the job can be far more enjoyable if working part-time hours. Some said that whilst they would recommend teaching, they would explain to anyone interested that going above and beyond has now become routine daily working.

**Figure 20: How likely would you be to recommend teaching as a good profession to take up, to someone who is thinking of entering the profession?**



A further 2,021 additional comments were left under this question. Many of the comments received reflected on how much their job had changed not just during the COVID-19 pandemic, but also since they entered the profession. Many also highlighted the perceived rise in violence in the classroom, which has now become more commonplace within their working week. Again, members stated that they had passion for the job that they do, and the pupils that they support, but that the expectations of others have left them feeling jaded.

### Member comments on recommending teaching

- “I love my job. I love the kids. I love to teach. I do not enjoy the pressure and ridiculous expectation that it has to become your whole life. I spend my own time and money so often at school that I actually wonder how my classroom functions at all within working hours or current budgets.”
- “Teaching has changed so much over the last ten years. With the shift more towards active learning and away from textbooks this has caused a lot of teachers to spend additional time looking for ideas and resources. Added to that, behavioural issues where teachers are shouted and sworn at by pupils on a weekly basis is getting beyond a joke. I love teaching but have really felt disheartened by it recently due to lack of support for children with additional needs and children with behavioural problems.”
- “The job has changed over the last few years. It is still a rewarding job and the young people are amazing, however, the job has become harder to manage. The pandemic has made it worse.”
- “Teaching COULD be the most rewarding career in the world. However, a lot needs to change. I have seen so many supports being removed over the time I have been a teacher. The presumption of mainstream is cruel to those pupils who cannot cope, and unfair to those who have to tolerate continual disruption from pupils who cannot cope.”
- “It used to be my dream job but with all the pressures and increasing work load it's hard to keep being motivated. I feel like I don't find time to look after myself and rest and recover. I'm always working for school at the weekend at least 4 hours.”
- “I would not ever recommend this job as it stands just now. Far too much to do in the time available resulting in very poor work-life balance. Working a ridiculous number of hours overtime is the only way to keep on top of everything being asked of you.”

## Final Comments

Finally, this survey ended with a comments box, for members to leave any closing remarks. There were 1,286 comments generated from this, drawing attention to the many struggles that teachers are facing at present. Many highlighted that they just don't feel their job is doable at the moment, as they become more and more fatigued trying to deliver all that is expected of them.

### Final member comments

- “My colleagues and I are committed to delivering an equitable education to all. Sad this doesn't feel achievable currently.”
- “I am becoming very disenfranchised with a career I worked so hard to build. I feel guilty and upset about this. I am unsure of the solution at the moment and feel disappointed in myself for this too.”
- “Mandatory health and wellbeing sessions in school miss the point - it's lip service to be seen to be supporting staff. Recognise the efforts people make and don't create unnecessary bureaucracy in an attempt to be seen to be doing something. Too many gimmicks.”
- “Too many classes with many children needing additional or one to one help but only one teacher having to deal with behaviour problems and learning needs.”
- “We are increasingly confronted with behaviour issues and don't have enough staff (PSA) to support in class. With so many staff off all the time this pressure gets even worse, and the children don't get the support they would need. It often feels like firefighting instead of teaching.”
- “For the first time ever, I am seriously contemplating leaving teaching. The strain on physical and mental health is just overwhelming at the moment. I don't feel like a teacher. The pressure to cover absence is just unacceptable and one our authority needs to take responsibility for. What have they done with recovery funds? Certainly not supported staffing levels.”
- “With increased expectations, Leadership teams are on their knees.”
- “I feel that the EIS has been the leading source of Covid related procedure information during the pandemic and I hear from you before I hear from school about changes or updates. I am grateful for the work you do for us.”
- “Please address the increased teacher workload in relation to taking on students during these current times.”
- “We have not kept ahead of inflation enough. Moving forward I, and very many of my colleagues would welcome a good pay rise and take part in industrial action to make our point. Too many good people are leaving, we can't recruit nor retain, and the vicious circle is putting lives at risk.”
- “Teaching has completely morphed into an admin job. Huge, huge amount of time colour coding online tracking. Planning has become ridiculously complicated, so many things to underline and highlight that it is difficult to actually remember what you are covering. Half of it doesn't get done properly, as the amount to be covered is completely unrealistic.”

## Further Information

For more information on any of the themes within this report please contact:

Lesley Warren, Campaigns, Policy and Research Co-ordinator

Email: [lwarren@eis.org.uk](mailto:lwarren@eis.org.uk)

Member advice and support can be found here:

<https://www.eis.org.uk/Member-Support/Advice>

For more information on the health and wellbeing support available:

<https://www.eis.org.uk/Member-Support/HWRResource>

Professional Learning Opportunities:

<https://www.eis.org.uk/Meetings-And-Events/Courses>

For more information on the Educational Institute of Scotland:

Website: [www.eis.org.uk](http://www.eis.org.uk)

Twitter: @EISUnion

Facebook: Educational Institute of Scotland

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## **EIS Social Media**

### **1. Introduction**

- 1.1. The EIS utilises social media platforms as a means of communicating with members and publicising the work of the Institute. Use of social media complements other forms of communication, such as electronic Bulletins, direct emails, the EIS website and the SEJ.
- 1.2. EIS social media accounts are primarily managed by the Communications Department, with one member of staff having primary responsibility for the operation of the EIS accounts.

### **2. Current social media accounts**

- 2.1. EIS social media activity is currently based around three different platforms – Twitter, Facebook and YouTube. Use of other social media platforms, such as Instagram and TikTok, has been considered in the past but has not been taken forward – for reasons including suitability of the platforms, user demographics, and capacity within the EIS staff structure.

### **3. EIS Facebook account**

- 3.1. The EIS has maintained a presence on Facebook for over a decade, primarily as an additional means of communication with members but also to promote the Institute and its policies more widely. The EIS Facebook page currently has a total of 14,617 followers – not all of whom will be members.
- 3.2. The EIS Facebook account is managed by the Communications department. One staff member takes primary responsibility for management of the account, although all three employees in the department have full admin access to the EIS account.
- 3.3. Employees in other departments (e.g. EIS Organisers) also have editing rights to the Facebook page, allowing them to add posts to the page as required or to stream video from events via Facebook's 'live' facility.
- 3.4. The EIS Facebook account is primarily intended to be viewed by members, but is visible also to non-members. Both members and non-members have the ability to post comments on the EIS Facebook page, and to send direct messages to the page admins.

### **4. EIS Twitter account**

- 4.1. The EIS has operated a Twitter account for more than a decade. The EIS Twitter feed is intended as a means of promoting the work of the Institute, and as a method of communication with a range of audiences including

EIS members. The EIS Twitter account currently has a total of 21,390 followers – not all of whom will be members.

- 4.2. The EIS Twitter account is managed by the Communications department. One staff member takes primary responsibility for management of the account, although all three employees in the department have full admin access to the EIS account.
- 4.3. The number of administrators we have on our Twitter account has been kept low, for technical reasons. We have experienced issues in the past where too many people are logged on to the Twitter account at the same time, which can lead to Twitter believing that the account has been hacked. This has led, on several past occasions, to the EIS Twitter account being locked and, therefore, unable to be used until security checks have been completed.
- 4.4. Where advance notice is given, access to the EIS Twitter account can be provided to other Institute employees (e.g. Organisers or Officers) to allow them to tweet from events which are not being covered by a Communications Department employee.

## **5. EIS YouTube account**

- 5.1. The EIS has operated a YouTube account since 2010. The EIS channel is primarily used to host video content which is then linked from other social media accounts and the EIS website.
- 5.2. The EIS YouTube account is managed by the EIS Communications Department, but is utilised less frequently than the Institute's other social media accounts. Levels of engagement on the YouTube account are significantly lower than on other social media channels.
- 5.3. Although it is not necessary to be a "subscriber" to view EIS YouTube content, the very low number of subscribers (72) and total video views (41387 total video views in 11 years) reflect the lower level of member engagement with the YouTube channel. Most views of EIS videos come via the EIS Website or on other social media channels.
- 5.4. Most videos on the EIS YouTube channel have views in the tens or, at the most, hundreds. By contrast, the typical video shared on the EIS Facebook or Twitter accounts will normally have thousands of views.

## **6. Current usage of Social Media**

- 6.1. As outlined above, the EIS utilises social media as an additional form of communication with members, and to promote EIS activity to a range of audiences.

- 6.2. EIS social media channels are an effective means of promoting EIS activity to both members and non-members.
- 6.3. It is important to note that social media posts will not reach all EIS members, and possibly not even a majority of EIS members – as some members will not use the social media channels utilised by the EIS and, even if they do, may not follow the EIS accounts.
- 6.4. Social media is used to complement other digital forms of member communication, such as direct emails (still the most effective method of quickly reaching the largest number of members) and the EIS website. Non-digital forms of communication (such as branch meetings, direct printed mailings and the SEJ) also continue to be utilised.
- 6.5. EIS social media communications will often reflect communications in other media and formats (e.g. direct mailings or SEJ articles) and be utilised to pull members onto the EIS website for further information.
- 6.6. Social media is a public space, so all EIS content on social media is able to be viewed by non-members. This has advantages in allowing EIS activity to be promoted more widely, for example to prospective members or to other important external audiences such as local or national government.
- 6.7. However, the public nature of social media also has its disadvantages as it can enable people (both members and non-members) with an ‘axe to grind’ to post negative comment on EIS content.
- 6.8. Comments on EIS social media, both from members and non-members, are often more negative than positive. Even positive stories, for example EIS support for universal free school meals, will often attract negative comments. This is the nature of social media, as those who are dissatisfied are far more likely to comment than those who are satisfied.
- 6.9. In addition to providing a communications channel and an opportunity for publicity, social media is also utilised to cover a degree of live coverage of EIS events.
- 6.10. Event coverage on Facebook is provided via the app’s “Live” function, which allows for a live video stream to be embedded, with the ability for viewers to provide live comments or to ask questions as the event takes place. Facebook live videos are also archived after the event, offering users the ability to watch events after they have concluded.
- 6.11. On Twitter, the practice of “live-tweeting” an event can provide text-based coverage of events for those unable to attend or to view live video. Live-tweeting can be challenging for the person responsible, as they will be

required to listen to the event while generating frequent, accurate and engaging tweets on a very tight timescale.

- 6.12. YouTube also offers a live video option, but the EIS has not made use of this function due to the lower levels of engagement with members on this medium.

## **7. Operational Issues and EIS Social Media output**

- 7.1 The EIS endeavours to post regularly on social media, to keep members informed of the work of the Institute. There are a number of issues that impact on the frequency and tone of EIS social media posts:
- 7.2. Negative feedback from members. Although, as highlighted above, the nature of social media tends to lend itself more to negative comments rather than positive comments, where there are a large number of negative comments, this can reflect poorly on the image of the Institute.
- 7.3. At difficult times, such as during the Covid pandemic, the number of negative comments will, inevitably, increase. The EIS has been accused of “doing nothing but conducting surveys and tweeting” by a significant number of social media posters during this period.
- 7.4. There is a clear balance to be struck between posting frequently enough to keep members informed, but not posting so often that it creates the impression that the EIS does little else but tweeting.
- 7.5. Materials for social media posts. While the Communications Department does generate a lot of social media content, it also relies on other departments within the Institute to supply information on which posts can be based.
- 7.6. At times where departments are facing other pressures, this can lead to suitable information not being passed on to the Communications department to support social media posts.
- 7.7. Workload pressures within the Communications Department can also impact on the frequency of social media posts. In a week that is particularly busy with meetings, or press enquiries, or at the deadline for the SEJ or another publication, there will sometimes be less time for Comms to devote to generating social media content.
- 7.8. Engaging in debate? The EIS is frequently asked questions on social media posts. Normal policy is to respond to genuine factual questions, where possible, but to refrain from engaging in debate.
- 7.9. Answers to questions on the EIS accounts require to be factual and/or based on Institute policy. For this reason, it sometimes requires some time before responses can be posted, as Comms staff will often have to

check EIS policy, or seek information from other departments, before they can respond.

- 7.10. It has been suggested in the past that the EIS account should engage in online debates on key education or political issues. This could be problematic on a number of fronts. It would place considerable pressure on the staff member responsible to engage in debate, in real time, in areas that might not be covered by extant EIS policy. Comments posted under the EIS account would then become, in effect, stated EIS policy – perhaps having never been approved, or even discussed, by Committee.
- 7.11. For this reason, it is not recommended that the main EIS social media accounts should engage in online debate. This is in line with the approach taken by most other organisational accounts – for example, the main Scottish Government accounts will not engage in debate (although individual members of the government will often do so on their own individual accounts).
- 7.12. Out of hours activity – EIS Comms staff are contracted to work normal office hours, Monday to Friday. As such, any required social media activity outwith these hours relies on staff working outwith their contractual hours on a voluntary basis. While Comms staff, in common with other Institute employees, often display a great deal of flexibility in working outwith contractual hours where required, this activity should be kept to a minimum to ensure appropriate work/life balance.
- 7.13. It is true, however, that a lot of social media activity (both on EIS pages and more generally) takes place outwith normal office hours – in evenings, at weekends, and during holiday periods. This inevitably creates operational challenges in responding timeously to social media posts or enquiries outwith normal working hours.
- 7.14. EIS Comms staff will often cover out-of-hours events to ensure appropriate social media coverage. It is important that adequate notice is given to enable cover to be arranged for such events, to allow staff to make any necessary personal arrangements, to enable staff working hours to be amended if necessary, and to allow time for appropriate pre-authorization of any staff overtime that may be required.

## **8. Possible improvements to EIS Social Media output**

- 8.1. A number of possible steps could be taken to enhance EIS social media output:
- 8.2. Ensure that consideration of possible social media output is embedded at the planning stage of all EIS events. The Communications Department endeavours to deliver appropriate social media coverage of a wide range of EIS events. To support this, it is essential that sufficient advance notice

and event information (such as details of agenda and speakers) is provided to the Communications Department to allow for suitable preparations to be put in place.

- 8.2. Regular updates and guidance on social media protocols. As highlighted earlier in this paper, access to post on EIS social media accounts be granted to other EIS employees, where appropriate, in order to ensure coverage of events not covered by Communications Department staff. This access will be temporary (to avoid issues related to too many simultaneous users on the same account), and it is important that up-to-date guidance is available to support staff using EIS social media on this basis.
- 8.3. Additional Departmental / Committee accounts. It has been suggested that individual EIS departments or Committees could benefit from having their own EIS Social Media (most likely Twitter) accounts. This would allow those Departments / Committees to share additional information about their areas of responsibility, with the main EIS account re-tweeting or re-posting where appropriate. Consideration would be required as to how these accounts might be managed within the departments concerned and how they would work in relation to our main account. All departments with social media accounts would need to liaise regularly to ensure consistent messaging reflecting our overall comms/social media strategy. We have had separate accounts in the past that had to be closed down due to lack of activity.
- 8.4. EIS accounts for Senior EIS Representatives. Similarly, it has been suggested that accounts for prominent EIS Representatives (E.g. an EIS President account, an EIS General Secretary account, or EIS Convener accounts) would allow the individuals in those positions to share content on social media. This would allow for more individuality and personality in posted content, compared to the more formal tone adopted by the main EIS accounts. Again, consideration would require to be given as to how these accounts would be managed. It may be desirable to trial additional accounts, on a limited basis, as an initial step.
- 8.5. Identifying possible items for social media promotion. In the recent past, Committee Vice-Conveners were given the responsibility for identifying possible areas of the Committee's work for social media promotion (or other forms of publicity). This practice has, largely, fallen by the wayside in recent years. It may be prudent to resume this practice – especially in the event that Departmental / Committee social media accounts are created.
- 8.6. Possibility of departments providing a short comms or social media plan to the Comms Department in the run up to events that they would like publicised. This will allow tweets to be scheduled ahead of time meaning

tweets will still be going out during staff absence or busy periods. Will be important to make the Comms Team aware of any changes to plans ASAP.

- 8.7. Encouraging positive engagement on EIS social media. As highlighted earlier in this paper, the issue of negative comment on EIS social media feeds is a recurring difficulty which can reflect poorly on the image of the Institute. While, to a certain extent, this is unavoidable and the nature of social media, all possible steps should be taken to encourage EIS activists and members to 'speak up' for all the good work that is undertaken by the Institute, to counter the negative comments that often prevail on social media content.

**- Brian Cooper, Head of Communications, January 2022**

## **Education For Peace Working Group Outputs**

**Education for Peace Policy  
Paper**

*Pages 2 - 10*

**Appendix A**

*Pages 11 - 25*

**How Scotland's Schools and CfE  
Promote Education for Peace**

**Appendix B**

*Pages 26 - 28*

**Mapping Professional Learning  
Opportunities for EIS members  
on Education for Peace**

**Appendix C**

*Pages 29 - 32*

**Resources to support the  
delivery of Education for Peace**

## EDUCATION FOR PEACE

### Background

The need to develop children and young people's capacities as responsible citizens and effective contributors to society is central to *Curriculum for Excellence*. Education for Peace<sup>1</sup> aims to develop an understanding of the causes of conflict at all levels and to encourage non-violent conflict resolution. Children and young people must be aware of where, when and how they can contribute towards change. Change for the better can only begin through conscious recognition of the problem, and an equally conscious commitment to work towards the solution.

There are several definitions of Education for Peace, and, in some ways, they show the evolution of the term to include interpersonal relationships, community and environmental sustainability. The EIS is not defining 'Education for Peace' nor supporting any single definition as it is not its role to do so. This paper draws attention to three definitions of Education for Peace:

1. Education for Peace is defined by UNICEF<sup>2</sup> as *"the process of promoting the knowledge, skills, attitudes and values needed to bring about behaviour change that will enable children, youth and adults to prevent conflict and violence, both overt and structural; to resolve conflict peacefully; and to create the conditions conducive to peace, whether at an interpersonal, intergroup, national or international level."* This definition is also used by ETUCE.
2. The Hague Appeal for Peace and Justice for the 21<sup>st</sup> Century published in 1999 stated: *"A culture of peace will be achieved when citizens of the world understand global problems, have the skills to resolve conflict constructively; know and live by international standards of human rights, gender and racial equality; appreciate cultural diversity; and respect the integrity of the Earth and each other. Such learning can only be achieved with systematic education for peace<sup>3</sup>."*
3. Education International has published<sup>4</sup> its policy;

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<sup>1</sup> The term "Education for Peace" is chosen since it is an on- going process and permeates the curriculum.

<sup>2</sup> <https://www.grainesdepaix.org/en/peace-resources/peace-dictionary/peace-education-unicef-susan-fountain-et-al-1999>

<sup>3</sup> <https://www.peace-ed-campaign.org/wp-content/uploads/2014/08/HagueAgendaPeace-Justice4The21stCentury.pdf>

<sup>4</sup> <https://www.ei-ie.org/en/item/20945:peace-education>

*"Peace Education is integrated comprehensive education focusing on life skills covering human rights, democracy, international understanding, tolerance, non-violence, multiculturalism, and all other values conveyed through the school curriculum.*

*"Education is a key tool in combating poverty, in promoting peace, social justice, human rights, democracy, cultural diversity and environmental awareness. Education for peace implies an active concept of peace through values, life skills and knowledge in a spirit of equality, respect, empathy, understanding and mutual appreciation among individuals, groups and nations.*

*"A culture of peace must take root in the classroom from an early age. It must continue to be reflected in the curricula at secondary and tertiary levels. However, the skills for peace and non-violence can only be learned and perfected through practice. Active listening, dialogue, mediation, and cooperative learning are delicate skills to develop."*

Recent work in Education for Peace stresses the wish to live sustainably within the natural environment and that living peacefully with others involves the principles of equity and social justice.

### **The Increased Need for Education for Peace**

The EIS believes *Curriculum for Excellence* is able to provide teaching approaches and learning activities which take forward Education for Peace. The EIS remains concerned at the rise in conflict; between individuals, communities, society, and armed conflict between and within nations. Arguably, these factors have intensified since the publication of the EIS paper on Education for Peace in 2008 in the ways set out below:

- a. The proliferation of armed conflict has continued. The suffering caused by wars and conflicts has caused mass migrations of peoples as both migrants and refugees seek safety. These movements of peoples have become politicised issues within some countries and parts of societies and have led to an increase in hate crime<sup>5</sup>.

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<sup>5</sup> The total number of charges reported to Crown Office Procurator Fiscal Service containing at least one element of hate crime increased to 5,525 in 2020-21, 4% more than 2019-20.  
[www.copfs.gov.uk/media-site-news-from-copfs/1957-hate-crime-in-scotland-2020-21](http://www.copfs.gov.uk/media-site-news-from-copfs/1957-hate-crime-in-scotland-2020-21)

- b. Discrimination and inequality (especially economic inequality, e.g., high levels of poverty, including child poverty) can lead to tensions and potential conflict in society.
- c. Violence in society, hate crime and domestic violence shape and damage the lives of many children and young people.
- d. Proliferation of social media, through the use of smartphones in particular, which can act as an echo chamber, creates an environment in which a person encounters only beliefs or opinions that coincide with their own so that their existing- often deeply prejudiced- views are reinforced, and alternative ideas are not considered. It also enables the easy and widespread sharing of hateful content which particularly targets minority groups and/ or those who share protected characteristics.
- e. Political discourse has become more polarised in several societies. Polarised political beliefs tend not to foster compromise with other political beliefs, especially on bi-modal issues. Social fragmentation can follow political polarisation, as individuals group together and socialise with mainly (or even solely) others with similar political/social values.

As the largest Scottish teachers' union, the EIS is concerned with the relationship between education and society. The EIS has a number of policies that lay the foundations for work in the area of Education for Peace and which show the Union's commitment to the promotion of respect for and empathy with others. Advice and guidance has been issued on 'Asylum Seekers and Refugees', 'Islamophobia' and 'Refugee and Asylum Seeking Children'. Recent publications cover 'Challenging Anti-Muslim Prejudice<sup>6</sup>', 'Myths of Immigration<sup>7</sup>', 'Refugee Welcome Packs<sup>8</sup>', 'Tackling Sexual Harassment in Educational Establishments<sup>9</sup>', 'Violence Against Women<sup>10</sup>', 'Get it Right for Girls<sup>11</sup>', 'Face up to Child Poverty<sup>12</sup>', and 'Bullying and Harassment<sup>13</sup>'. In addition, as an organisation affiliated to the Scottish Campaign for Nuclear Disarmament, the EIS recognises the global dangers posed by nuclear weapons.

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<sup>6</sup> <https://www.eis.org.uk/Anti-Racism/AntiMuslimPrejudice>

<sup>7</sup> <https://www.eis.org.uk/Anti-Racism/MythsofImmigration>

<sup>8</sup> <https://www.eis.org.uk/Policy-And-Publications/WelcomeToScotland>

<sup>9</sup> <https://www.eis.org.uk/Gender-Equality/TacklingSexualHarassment>,

<sup>10</sup> <https://www.eis.org.uk/Gender-Equality/Womenworkplace>

<sup>11</sup> <https://www.eis.org.uk/Gender-Equality/GIRFGGuidance>

<sup>12</sup> - <https://www.eis.org.uk/Child-Poverty/PovertyBooklet>

<sup>13</sup> <https://www.eis.org.uk/PoliciesandGuidance/BullyingAndHarassment>

There is awareness in Scottish society that our educational establishments and teachers have an important role to play in fostering an understanding of the need for conflict resolution at every level from personal relationships to international relations.

## **Relevant Education Policies**

Within Scotland, several national educational policies have been introduced since the EIS Education for Peace publication in 2008 which complement the key messages of 'Education for Peace', such as creating a society that is peaceful and safe, that promotes personal and group wellbeing, is free from fear and abuse, and is equitable. These aspects are now found in a range of national education policies:

- a. Learning for Sustainability is defined as "*learning to live within the environmental limits of our planet and to build a just, equitable and peaceful society*<sup>14</sup>." The principles of Learning for Sustainability have been incorporated in the GTCS Professional Standards for teachers<sup>15</sup>. Furthermore, GTC Scotland's Professional Values for teachers place social justice values as being core to teacher professionalism. Learning for Sustainability also permeates the indicators in 'How Good is Our School 4?' (see 'Whole school and community approach to learning for sustainability, Self-evaluation and improvement framework')
  
- b. The Getting It Right for Every Child (GIRFEC) framework aims to support children and young people in such a way that they can grow up feeling loved, safe and respected and can realise their full potential.

The policy states that: 'At home, in school or the wider community, every child and young person should be: safe, healthy, achieving, nurtured, active, respected, responsible and included.'<sup>16</sup>

- c. 'Respect for All': The National Approach to Anti-Bullying for Scotland's Children and Young People' guidance published in 2017. The introduction to the guidance states:

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<sup>14</sup> <https://gtcsnew.gtcs.org.uk/LearningforSustainability/lfs-what-is-lfs.aspx>

<sup>15</sup> <https://www.gtcs.org.uk/professional-standards/key-cross-cutting-themes/learning-for-sustainability/>

<sup>16</sup> <https://www.gov.scot/policies/girfec/wellbeing-indicators-shanarri/>

*"Respect for All reflects Getting it Right for Every Child (GIRFEC) and recognises that bullying impacts on wellbeing. In order to thrive and achieve their full potential, children and young people need learning environments which are safe, nurturing, respectful and free from fear, abuse and discrimination."*<sup>17</sup>

d. 'Realising the Ambition: Being Me'<sup>18</sup>, the national practice guidance for Early Years in Scotland, outlines the importance of establishing 'positive, loving, nurturing and understanding relationships' to help our youngest learners express their feelings, manage conflict and support the development of self-regulation. It states that everything done in the Early Years is about 'helping the child to grow emotionally, socially, physically and cognitively' and highlights that 'the key part of the environment for children is the human, social environment of positive, nurturing interactions'.<sup>19</sup>

e. The Scottish Government's commitment to implementing the United Nations Convention on the Rights of the Child (UNCRC) and incorporating it into Scots law. *Article 29 includes:*

*"The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin."*<sup>20</sup>

f. The Scottish Government's commitment<sup>21</sup> to the delivery of the UN's Sustainable Development Goals, which officially came into force in January 2016, and are central to Scotland's national vision and are at the heart of the Scottish Government's National Performance Framework. Goal 16 of the UN's Sustainable Development Goals states:

*"Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels."*<sup>22</sup>

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<sup>17</sup> <https://www.gov.scot/publications/respect-national-approach-anti-bullying-scotlands-children-young-people/>

<sup>18</sup> <https://education.gov.scot/improvement/learning-resources/realising-the-ambition/>

<sup>19</sup> <https://education.gov.scot/media/3bjpr3wa/realisingtheambition.pdf>

<sup>20</sup> [https://www.unicef-irc.org/portfolios/general\\_comments/GC1\\_en.doc.html](https://www.unicef-irc.org/portfolios/general_comments/GC1_en.doc.html)

<sup>21</sup> 2015 <https://nationalperformance.gov.scot/sustainable-development-goals>

<sup>22</sup> <https://sdgs.un.org/goals/goal16>

In addition to implementing these national educational policies, schools and ELC settings carry out a range of activities developed at a local level that complement the key messages of 'Education for Peace. These include but are not limited to:

- Whole school nurture principles
- Emotional Literacy learning
- Positive Relationship policies (authority and/or school)
- Promoting and living school values
- Engaging with the Rights Respecting School agenda
- Eco-school initiatives
- GIRFEC and SHANARRI developments
- MVP and similar initiatives
- Buddying (P7-P1/S6-S1)
- Critical Thinking activities

## **Ethos**

The Scottish comprehensive system recognises the equal worth of pupils, believes in the value of active learning, and takes forward a commitment to *Curriculum for Excellence* that is responsive to the needs of all while recognising the achievement of each learner.

Education for Peace requires a supportive ethos within which teachers, Early Years practitioners and lecturers, pupils and students, parents and other staff can work together, as part of a whole school approach, to promote sound learning. It has implications for all members of the educational community and implies the need for a high standard of self-discipline and personal responsibility from all, underpinned by principles of collegiality. Collegiality is a process and a way of working which reflects on relationships and participation by all staff on all aspects of school life<sup>23</sup>, including teaching and learning. The development of collegiality as part of an 'empowered system'<sup>24</sup> in all education places will support such an ethos.

Education for Peace is an active and purposeful process of building self-esteem and mutual respect as a preparation for a common future. A crucial element in this ethos is recognition of the worth of each member of the learning community, with respect being accorded to all learners equally and

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<sup>23</sup> [https://www.snct.org.uk/wiki/index.php?title=Appendix\\_1.4](https://www.snct.org.uk/wiki/index.php?title=Appendix_1.4)

<sup>24</sup> <https://education.gov.scot/improvement/learning-resources/an-empowered-system/>

to the societal groups of which they are members; the contribution of teaching staff and all workers being recognised. The dignity of all members of the establishment should be fostered and courtesy should be a feature in all relationships.

## **Methodology and Curriculum**

Education for Peace is a cross-curricular process to promote the knowledge, skills and attitudes needed to live in an interdependent world. It will be furthered through methodologies that give due consideration to the prior skills, experience, and knowledge of the learner; which encourage critical thinking; which encourage attitudes of consideration for others and the world; and which encourage learners to take an active part in their own learning. Appropriate methodologies include a wide range of problem-solving approaches which encourage positive and rational engagement with the world, natural and cultural.

The 2021 AGM instructed Council to campaign for all Local Authorities to adopt the principles of Trauma Informed Practice in schools, offer training for school staff and request that Trauma informed principles are embedded in local authority policy and procedure. The Centre for Mental Health<sup>25</sup> report says exposure to trauma is relatively common among young people; and, without appropriate support, these experiences can have severe and long-lasting effects. Any child or young person who experiences violence or conflict of any kind may suffer trauma.

Education for Peace recognises the importance of social cohesion and the related need to support our collective mental health and wellbeing, which to varying degrees, has been negatively impacted by the Covid pandemic. In recent years, in response to growing incidence of mental health need among children and young people, the Scottish Government has made supporting young people's mental health a priority, for example, by resourcing the provision of counsellors to schools and colleges. Whilst we welcome this investment, there is still much to be done to address the rising and increased complexity of need and to ensure that sufficient support is given to promoting the mental health and wellbeing of children and young people.

Establishments that seek to promote and embed Education for Peace require to adopt assessment systems that recognise the successes of all learners

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<sup>25</sup> [https://www.bacp.co.uk/news/news-from-bacp/2020/9-january-trauma-informed-approach-in-schools-helps-staff-and-benefits-students-new-report-says/?gclid=CjwKCAjw3\\_KIBhA2EiwAaAAlh\\_M4CDG1-3Tw0mFv8HOS71zgOMdJns\\_Cu8ePQkbAmKvkSY-Y6PXHRoCLIQQAvD\\_BwE](https://www.bacp.co.uk/news/news-from-bacp/2020/9-january-trauma-informed-approach-in-schools-helps-staff-and-benefits-students-new-report-says/?gclid=CjwKCAjw3_KIBhA2EiwAaAAlh_M4CDG1-3Tw0mFv8HOS71zgOMdJns_Cu8ePQkbAmKvkSY-Y6PXHRoCLIQQAvD_BwE)

rather than fostering a culture of competition between learners that can be destructive to young people's self esteem and mental health, and ultimately to learning itself. In addition, the centrality of formative rather than summative assessment will be recognised. Such establishments will avoid the creation of groupings of learners that are labelled or perceived as failures.

Education for Peace seeks to develop skills that enable individuals to discuss, question, make informed decisions and ultimately build more harmonious relationships. Education for Peace is not about indoctrinating young people in unilateral views; neither is it a platform for any individual's values.

Turning to the macro level, regarding armed conflict, young people can tend to see war as a natural phenomenon rather than as the outcome of social processes. Education for Peace deals with knowledge and understanding that helps pupils to make sense of their world. It should help ensure that the process of attitude formation is an informed process.

The need to develop young people's capacities as responsible citizens and effective contributors to society is central to *Curriculum for Excellence*. Education for Peace aims to develop an understanding of the causes of conflict at all levels and to encourage non-violent conflict resolution.

Education for Peace requires that the content and materials of the curriculum are subject to informed scrutiny in a similar way to that employed in ensuring that the curriculum complies with equality duties. The curriculum should actively promote cooperation, respect, and the values of peace.

Appendix A explains how *Curriculum for Excellence* can support the development of skills and knowledge which take forward Education for Peace using the definitions of Education for Peace suggested at the start of this paper.

## **Professional Learning and Education for Peace Resources**

Professional Learning for Education for Peace or related areas of the curriculum is delivered by a range of bodies, including the EIS. These are growing areas of significance within the curriculum and within relationships in schools, especially in terms of environmental sustainability issues and child rights-based approach to education. A mapping exercise showing this is set out in Appendix B.

A range of resources that will assist members in delivering Education for Peace is set out in Appendix C.

### **How Scotland's Schools and CfE Promote Education for Peace**

#### **Introduction**

The values, purposes and principles for the curriculum from 3–18 in Scotland are set out in 'A Curriculum for Excellence'<sup>26</sup> (Scottish Executive, 2004), which states, 'One of the prime purposes of education is to make our young people aware of the values on which Scottish society is based and so help them to establish their own stances on matters of social justice and personal and collective responsibility. Young people therefore need to learn about and develop these values. The curriculum is an important means through which this personal development should be encouraged.'

If we consider the definitions for Education for Peace and apply their contents to *Curriculum for Excellence* we see that some of the knowledge that is required and that many of the skills, values and attitudes which need to be developed in learners, from Early Level to Fourth Level, to implement Education for Peace already have been acquired within our schools. What follows below are some illustrations of how the definitions are fulfilled but they do not form an exhaustive list.

The Four Contexts for learning, as well as the processes and practices that arise from the implementation of Scottish Government and local authorities' policies (particularly those that seek to ensure equality and equity), have indeed developed values and awareness in our children and young people to help them show respect for others and establish their own stances on matters of social justice and personal and collective responsibility, attributes that are necessary for advancing Education for Peace within our schools and minimising conflict within the wider world.

#### **The ethos and life of the school, and opportunities for personal achievement**

The *Refreshed Curriculum for Excellence Narrative* (2019) states that the curriculum is underpinned by the values of wisdom, justice, compassion and integrity. These qualities can be seen within the staff and learners in our schools.

Respect and Empathy: The ethos within Scottish schools is one where mutual respect and trust are key elements of relationships, respectful and constructive relationships being the starting point for successful learning and a peaceful learning environment, as they build feelings of trust, safety and wellbeing.

The overall ethos of the school and the interactions staff have with children and young people influence most of them to adopt the positive behaviours which have been modelled by the adults within the learning community.

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<sup>26</sup><https://www.webarchive.org.uk/wayback/archive/20180129151957/http://www.gov.scot/Publications/2004/11/20178/45862>

Additionally, learners' attitudes to equality matters may be confirmed or challenged by the way the adults around them act and/ or respond, including by micro-messages conveyed by their body language and choice of words which may reveal unconscious bias, to micro-aggressions or comments which are racist, sexist, misogynistic, transphobic, biphobic or homophobic.

The environment for learning in Scottish schools aims to support and nurture the health and wellbeing of all learners, for example, by providing peer support, buddies, breakfast or lunch clubs, safe areas, nurture rooms, pupil support staff and extended support teams. The SHANARRI principles (safe, nurtured, achieving, healthy, active, included, respected and responsible) are qualities staff seek to realise in all learners.

From a young age, with the support of the adults working with them, children develop an empathic understanding of the thoughts, feelings and intentions of others. As learners grow older, pastoral care and other school staff continue to encourage the development of empathy in learners and to display it in their own interactions with them. Children and young people know while they are in school they can share any anxieties they have or challenges they face with a key adult who has the time to listen, to understand and to help. Through such experiences, children and young people appreciate the importance of active listening as well.

Resolving and addressing conflict: Staff in Scotland's schools are proactive in promoting positive behaviour and in encouraging empathy, but tensions and conflicts can arise. It is essential that agreed structures that will permit the resolution of differences with openness and dignity are developed and resourced. These structures should recognise that different individuals may well have different perceptions of a common reality. A good example here is the work being done with Restorative Practice.

Restorative Practice principles have similar aims to Education for Peace as they foster positive social principles in a school community of mutual engagement, and responsibility and accountability for one's own actions and their impact on others.

The respecting of other people, their views and feelings makes conflict less likely and builds more sustainable communities. It promotes inclusiveness, relationship-building and problem-solving. Through Restorative Practice, the important Education for Peace skills of active listening, dialogue and mediation are developed. By using these skills the harm that has been caused, whether by bullying or disagreements, can be repaired and relationships between individuals or groups ( including between learners and staff) restored.

Some schools are involved in the Mentors in Violence Prevention (MVP) programme which seeks to change attitudes to violence and bullying, and to empower peers and friends to be supportive of anyone being victimised. This approach encourages all learners to take an active role in promoting a positive school climate. Thus, interpersonal and intergroup peace can be maintained in schools.

In addition to positive behaviour policies, many schools have anti-bullying policies, thereby seeking to prevent violence and conflict arising amongst children and young people.

Mutual appreciation: This is shown in schools as children and young people's views are valued; they are asked for their opinions on their learning experiences and account is taken of their comments in future planning. In Early Years, learners play an active role in leading the learning, with teachers and Early Years practitioners closely observing play to inform future planning and learning opportunities.

Pupil Voice/ Learning Councils/ Pupil Councils provide opportunities for learners to discuss their ideas and those of their peers about their schools and what they would like to change. They learn through these processes that compromise is required at times and how to seek common ground.

Many schools participate in UNICEF's Rights Respecting School scheme, thereby supporting learners' participation in decision-making and developing their skills in communication and negotiation/constructive dialogue. Additionally, this involvement helps children to understand and realise their own rights and the rights of others within the school, community and globally.

Other in-school committees and groups, such as Eco Groups or Eco Committees (hundreds have achieved the Eco-Schools Green Flag Award), Fair Trade Committees (some gaining FairAware status for their schools), Equality Groups, and LGBTQ+ groups, provide opportunities for children and young people to learn more about particular issues and to be involved further in shaping policies and practices in their own learning communities.

As knowledge of the implications of the implementation of the UNCRC within Scotland grows, it is likely children and young people will be even more active in decision-making and this will empower them to be not only active citizens in their school but also in their local community and possibly across the world.

Understanding of others and life skills: The involvement in some schools of global citizenship education encourages children and young people to develop as global citizens, to understand what life is like in different parts of the world and the importance of not just seeing the world from their own perspectives and contexts; such awareness is essential for Education for Peace aims to be realised.

The opportunity given in some schools for children and young people to contribute to supporting their peers or to act as positive role models for others across the educational community, for example, by being mentors, or buddies, or to take on responsibilities such as house captain, class monitor, junior road safety officer or sports ambassador, may result in an increased sense of achievement and self-esteem. Such positive feelings can

reduce the likelihood of distressed behaviour which sometimes can result in tension and conflict.

The Duke of Edinburgh Award which is offered in many schools provides the opportunity for young people over the age of 14 to discover new interests and talents, as well as gain a formal award of achievement. It increases self-discipline and motivation, as well as communication and team-working skills.

Many schools have established links with schools in other countries; some through formal twinning arrangements. Communicating with and/or visiting schools elsewhere, whether in-person or online, enables children and young people to learn more about the challenges their peers in other countries face and to increase their understanding of other cultures and of issues which impact on all children and young people no matter where in the world they live.

Some schools are involved in the 'Lessons from Auschwitz' programme, with two S6 pupils visiting the Auschwitz-Birkenau Memorial and Museum in Poland as part of their learning about the Holocaust. Such trips can be powerful experiences for the young people who go there. When they return they often speak at assemblies about what they saw and learnt, increasing understanding amongst their peers of the dangers of hate and intolerance and the need for such attitudes to be challenged.

An increasing number of schools are focusing on Learning for Sustainability (LFS). This approach to life and learning enables children and young people, educators, schools and their wider communities to build a socially just, sustainable and equitable society. An effective whole school approach to LFS weaves together global citizenship, sustainable development education and outdoor learning to create coherent, rewarding and transformative learning experiences.

### **Curriculum areas and subjects: Education for Peace skills**

All curriculum areas at all stages contribute towards enabling children and young people to become successful learners, confident individuals, responsible citizens and effective contributors. Some of the skills and attitudes developed are those that are seen to be key for Education for Peace.

Successful learners meet challenges positively and find solutions to problems as well as remaining open to new thinking and ideas; confident individuals have developed self-awareness, self-discipline and confidence, often through working with others, and are able to assess risk and make informed decisions; responsible citizens can explore ethical questions, respond to personal and social issues, and have awareness of and insight into cultural identities and understand different beliefs; effective contributors can work cooperatively and communicate with others, apply critical thinking in new contexts and solve problems.

Additionally, the meta-skills of self-management, social intelligence and innovation which were highlighted in the *Refreshed Curriculum for Excellence Narrative* are relevant in relation to Education for Peace skills.

### Dialogue

All four capacities can be shown when and by how dialogue is used. Dialogue is more than communication in the Education for Peace context. It is a communication tool that allows people to listen with respect and to understand others' viewpoints without the situation becoming full of conflict or to achieve a positive outcome to a situation of conflict/ disagreement or of potential conflict/ disagreement. The skill of dialogue permeates all curriculum areas. Speaking and listening for specific purposes occur between and among learners and between learners and adults who are supporting their learning at all stages of schooling. Teachers are role models, their interpersonal skills are a major influence on learners and on how they approach and resolve difficult situations themselves in school and the world outside school.

### Active Listening

All teachers have a responsibility for promoting language and literacy development and in each area of the curriculum there are opportunities for learners to explain their thinking and debate ideas, for example, when engaging with others in a group or participating in a class discussion.

From Early Level in *Literacy and English* in the 'Tools for Listening and Talking' organiser, pupils learn to take turns in group discussions and begin to be aware of the importance of body language when listening to others. Knowledge of the impact of non-verbal techniques displayed when engaging with others develops as learners progress through their education. Using positive body language is essential in building trust and can reduce the potential for disagreements.

Additionally, from First Level pupils are expected to respond to the ideas of others in a respectful way. By Second Level, pupils are expected to show they value others' contributions, and they use them to build on their own thinking.

At Third Level, learners demonstrate the skills of active listening in a group discussion by building on the contributions of others, by asking questions or answering them, by clarifying or summarising points made, by supporting or challenging opinions or ideas in a respectful way or acknowledging that others have the right to hold a different opinion. Interpersonal and team-working skills are developed, especially when learners are collaborating to solve a problem. Skills in communication and working in a team are necessary for the building of relationships throughout life.

## Mediation

Also, within group work in *Literacy and English* and *Literacy and Gaidhlig* learners gain the ability to mediate discussions without teacher intervention, having become familiar with the role and responsibility of a chairperson. These skills may have been developed earlier but are crucial for those learning in these subjects at the Fourth Level where a learner undertaking that role ensures that everyone has an opportunity to contribute and encourages each person to take account of others' points of view or alternative solutions. The outcome of the discussion should be one that is respected by all.

## Co-operative Learning

Co-operative Learning, which develops another Education for Peace skill, occurs in Scotland's schools. At the pre-school stage co-operative play begins to develop, as a child learns how to self-regulate. In situations where some children are not yet comfortable or secure socially, they can be supported by practitioners modelling, for example, how to share a toy.

In primary and secondary schools, children and young people work collaboratively (for example, working together to prepare for reading unfamiliar texts in all curriculum areas or working with peers who may be more confident when learning another language) and to analyse, reflect on and evaluate with their peers their work at all stages and in all curriculum areas.

In the *Expressive Arts*, for example, co-operative learning occurs through a broad range of activities, such as participation in presentations, performances, whole school events, and community events. Prior to the outcome learners will have had to participate in active listening, perhaps will have had to show empathy and understanding and may have had to work through disagreements.

In *Physical Education* co-operative learning is developed from Early Level when pupils are required to share resources and it is encouraged from First Level onwards as pupils learn to give and accept feedback on their skills and/or understanding, respect and tolerance also being important qualities which are developed within the subject from Early Level.

Co-operative learning is even more beneficial to Education for Peace skills when pupils are asked to work in non-friendship groups where they may have to work with pupils from different backgrounds and about whom they do not know much. This can lead to new friendships and a better understanding by all of peers from different backgrounds and it can reduce the potential for bullying or conflict and can prevent any perception of 'Otherness' continuing.

The fact that pupils from a young age are used to discussing constructively and/ or evaluating their work with their teachers and also are taught how to comment constructively on the work of others enables co-operation more broadly to be seen as a norm in our schools.

## **Curriculum areas and subjects: Education for Peace knowledge and understanding**

The resources used for teaching and learning, from Early Level to the Senior Phase, within our schools currently may not be able fully to support Education for Peace yet as they may not all be free of gender or racial stereotypes and also may not reflect the experiences, lives and histories of minority ethnic communities. However, teachers still can do much to ensure learning reflects the diverse nature of the pupil population within our schools.

Learning within *Drama* provides learners with opportunities to explore real and imaginary situations. Such activities help those performing to better understand and share their world and they also help those watching to become more aware of the lives of others and to begin to understand different perspectives and emotions.

*Literacy and English* also provides opportunities, particularly in reading, for pupils to step into a character's shoes and become aware of thoughts and feelings that may differ from their own. As pupils grow in maturity their understanding of the emotions and lives of others increases, leading to greater empathy. Novels and films which portray strong friendships between characters from different backgrounds or different ethnicities can support the development of such bonds within schools as well. Novels and films which have plots that challenge stereotypes of any kind can also be helpful.

*Health and Wellbeing* experiences, amongst other outcomes, support the development of self-awareness, self-worth and respect for others in the learner; and support the learner in acknowledging diversity and to understand that it is everyone's responsibility to challenge discrimination.

## **Interdisciplinary Learning**

Education for Peace should not be regarded as a separate topic or subject; rather it is an element that permeates the curriculum. However, interdisciplinary learning can provide opportunities for aspects of Education for Peace to be developed further, in a cross-curricular way, in particular in the areas of Human Rights, Gender Equality, Racial Equality and Cultural Diversity, all of which are essential elements in seeking to achieve a culture of peace, within schools and in the wider world. Learning experiences that relate to these four elements can be found in a number of curriculum areas.

In secondary schools, a whole school approach to topics can enable learners to make connections across different disciplines and subjects. In taking forward any of the above aspects as a whole school or community event, some schools may wish to hold an 'Education for Peace Week' and as part of that give one of the above aspects a stronger focus.

Some schools hold regular events to value and celebrate diversity by focusing on a specific world religion's special day or a particular cultural

event, such as International Women's Day or the Chinese New Year, though it is important to ensure that any single event doesn't result in the reinforcement of stereotypes and 'Othering'. Other schools undertake whole school events for a week, such as Black History week, LGBTI week, Holocaust Memorial Week and Fair-trade Week.

All of these can build on elements that permeate the curriculum and therefore can provide a stronger focus on a particular aspect of Education for Peace where the learning community sees there is a need.

A number of secondary school departments also may wish to work together using a common resource. For example, the PG-rated film, 'Hidden Figures', provides content that can link to learning experiences at Third Level in *English, Mathematics* and the *Sciences*, given its focus is the role of women behind the scenes at NASA in the 1960s, and the racial discrimination faced at that time in the USA by those who were black.

### Equality

All the above equality-linked aspects of Education for Peace can be covered by experiences and outcomes within curriculum areas. For example, awareness of inequality and discrimination, including their impact and how they might be addressed, are developed in *Social Studies* in 'People in society, economy and business' from Second Level upwards.

*Religious and Moral Education* supports learners in developing respect for others and in understanding beliefs and practices which are different from their own but some of which may be held and followed by their peers and/or within their local communities. Through developing awareness and appreciation of the value of each individual in a diverse society, *RME*, particularly through the 'Values and Issues' experiences engenders responsible attitudes to other people. This awareness and appreciation can assist in countering prejudice and intolerance, as children and young people consider issues such as sectarianism and discrimination more broadly.

### Human Rights

From Early Level in the curriculum organiser, 'Social Wellbeing' in *HWB* pupils explore the rights to which they and others are entitled. They learn about respecting the rights of others.

Linked to their understanding of their rights under the UNCRC, children and young people may learn about Human Rights. Understanding that human rights are the same for all human beings is key to reducing perceptions of difference/'Otherness' and so can increase empathy for others.

The Universal Declaration of Human Rights (adopted in 1948) stated there are 5 kinds of human rights – economic, social, cultural, civil and political. Having the right to an education and learning about science and culture within school fulfil aspects of the first three rights. Some of the civil rights of children and young people are fulfilled in schools by their participation in

decisions and by the respect shown to them within schools; political rights which pertain within the wider world outside school are illustrated in some learning experiences.

For example, in *Social Studies* in 'People in society, economy and business' learning experiences help to develop an understanding of political rights by focusing on the principles of democracy and citizenship. Learners become aware of the importance of being active citizens and of participating in decision-making processes, for example, by voting in elections.

A learning experience at Fourth Level in 'People in society, economy and business' within *Social Studies* enables the evaluation of the role of the media in a democracy to be studied, as well as its importance in informing and influencing citizens and in explaining the decisions made by those in power.

Learning at First Level in 'People, past events and societies' involves pupils selecting significant individuals from the past in order to discuss the influence of their actions then and since. Individuals, such as Mahatma Gandhi, Rosa Parks and Martin Luther King Jnr, who raised issues of human rights and contributed to change through peaceful means are examples that could be offered for study, as could Ruth Bader Ginsburg, Dr Elsie Inglis, Sophia Jex-Blake, or Malala Yousafzai who continues to campaign now though she began in what is the past for learners; at Third Level the actions and motives of those involved in a significant turning point in the past could result in those who were responsible for the Geneva Conventions of 1949 (or earlier versions) being studied or the women at the peace camp on Greenham Common being considered, as could the Suffragettes, or the actions of the Bristol Bus Boycott campaigners led by Paul Stephenson in 1963, or the women at the Ford plant in Dagenham who took industrial action in 1968.

### Gender Equality

Violence continues to be inflicted against women and girls and this indicates that, despite gains in aspects of equality for girls and women, real gender equality between men and women still hasn't been achieved in Scotland. Such violence is an aspect of behaviour that Education for Peace seeks to eradicate. In its promotion of gender equality, it also seeks to highlight positive models of masculinity and to question what may be seen as gender norms.

Staff in Early Years' settings play an important role in breaking down gender stereotypes in children before they become too ingrained. A change in perception can be encouraged by ensuring visual displays/ posters show non-stereotypical images, and by ensuring access is available for all children to a range of books, toys and indoor and outdoor play equipment, with staff influencing the use of all of them. Supporting the involvement of all children in different types of learning activities, and in games and in sports is also important in countering stereotypical choices. Staff are alert as well to a possible need to counter expectations of what traditionally are perceived as

'normal' in terms of the behaviour and emotional responses to situations of boys and girls.

Although 'gender equality' isn't a description found within *CfE*, learning about Gender Equality, including the culture of misogyny and stereotyping, can occur in *PSE*, particularly within the experiences of learning in 'Relationships, sexual health and parenthood'.

From Second Level pupils are expected to have an understanding of diversity in sexuality and gender identity; at Third Level young people are expected to respect and understand the diversity of loving and sexual relationships, for example, LGBTI relationships, marriage, living together and co-parenting. They also learn that power can exist within relationships and that such power can be used positively as well as negatively. They learn where to get support and help with situations involving abuse and understand that there are laws that protect them from different kinds of abuses, such as female genital mutilation, domestic abuse, grooming and child sexual exploitation.

While the above learning outcomes are important in countering the potential for abuse, it has been recognised by the Scottish Government in its *Review of Personal and Social Education* (2019) that more requires to be taught on the aspect of consent and also that more requires to be done on how to address sexual harassment and gender-based violence in schools (Page 29). Resources to support such teaching and learning are being developed.

Also, at Third Level, young people's learning enables them to recognise that popular culture, the media and peer pressure can influence how they feel about themselves and the impact that might have on their actions. They learn the need and means to challenge stereotypical images of all genders in the media, including social media. The 'role of parent/carer' strand also provides opportunities for consideration of gender equality.

Experiences in *PSE's* 'Planning for choices and changes' gives learners opportunities to find out about the world of work from Early Level and therefore for stereotypical views about jobs, which can shape attitudes and decisions about later subject choices and reduce options, from a very early age to be challenged.

Learning at Fourth Level in this organiser can allow occupational segregation for all genders in future jobs or careers to be discussed. Broadening career options in STEM subjects for girls is seen to be particularly important in the pursuit of economic gender equality.

One way to counter stereotypical views of 'appropriate' careers is found in the *Sciences*, in 'Topical Science' at Second Level, where learners are able to research historic and contemporary scientists, ensuring gender balance, and their scientific discoveries. Examples of historic women scientists who could be studied are Marie Curie, Mary Somerville, and Dr Christina Miller; contemporary examples could include Jocelyn Bell Burnell, Sau Lan Wu and Emma Parmee. Also, at that Level in 'Topical Science' learners discuss the range of careers which are possible in STEM subjects.

## Racial Equality

Racial Equality too remains a goal that is yet to be achieved as a reality. Not all cultures, religions, identities and languages are recognised and valued in the same way by everyone. The continuing existence of racial inequality can lead to incidents of tension, violence and death.

Racism, which prevents Racial Equality from being realised, is a violation of the Universal Declaration of Human Rights and a form of violence. Many schools currently are focusing on reducing interpersonal and intergroup racism, prejudice and discrimination, often through whole-school approaches as part of their approach to promoting equality and inclusion and challenging discrimination and prejudice. A few have offered anti-racism training to parents and carers to help them teach their children about racism and how to have conversations about the issue and challenge racism when it arises.

Within the curriculum, learning in *Social Studies* can lead to discussions about racism and immigration as learners' understanding of the world develops as they learn about other people and their values, in different times, places and circumstances, including situations of conflict.

For example, at Fourth Level in 'People, past events and societies' learners are asked to present arguments about the importance of respecting the heritage and identity of others; and to investigate a meeting of cultures in the past (as a result, for example, of conflict or the expansion of power or migration) and analyse the impact on the societies involved; at Third Level learners are required to explain why a group of people from beyond Scotland settled here in the past and to discuss the impact they have had on the life and culture of Scotland, and through their own research learners are asked to identify possible causes of a past conflict and report on the impact it has had on the lives of people at that time.

The Experiences and Outcomes in *Social Studies* and other curriculum areas do not refer to an anti-racist education approach *per se* but depending on the choice of resources and topics and the perspectives provided of these topics learners can be helped to understand Scotland's history in relation to empire, colonialism and transatlantic slavery and how Scotland's colonial past plays a role in their current lives.

## Cultural Diversity

The *Refreshed Narrative* states that the curriculum in Scotland is designed to be 'a coherent, flexible and enriched curriculum that is adaptable and responsive to the diverse needs of individual learners and which reflects the uniqueness of their communities'.

Therefore, it is important that all learners are represented within the curriculum, see themselves, their culture, ethnicity, faith and experiences in it and recognise that it is relevant to them. This is particularly important for those children and young people who are refugees and asylum seekers,

many of whom will be learning English as an additional language and finding their way through a new cultural landscape.

Children and young people who learn about different cultures are likely to feel more comfortable and safe with any differences of language, religion, race and ethnicity they perceive in others and therefore be confident about collaborating and co-operating with others. This improved understanding should prevent interpersonal and intergroup tensions or conflicts from arising.

Language is a key aspect of any culture. Through language, children and young people gain access to the literacy heritage of humanity. By learning in *Literacy and English* they develop their appreciation of the richness and breadth of Scotland's literary heritage and the diversity of languages represented within the communities of Scotland.

Learning other languages enables children and young people to make connections, often through the use of ICT, with different people and their cultures. It increases their awareness of life in another society and of the issues facing citizens in the countries where the languages they are learning are spoken, thereby gaining insights into other ways of thinking and other views of the world, and, in some instances, a greater understanding of global issues.

Learning experiences in *Gaelic (learners)* supports pupils in gaining a deeper understanding of the Gaelic language, culture and heritage through exploring customs, traditions, songs, folklore, place names, the arts, festivals, and foods. They also gain an understanding of the interconnected nature of languages and gain insights into other ways of thinking and other views of the world.

For those children and young people for whom English is an additional language, the current gap in the provision of community/heritage languages within the curriculum in Scottish schools – something that could be perceived as a failure to value cultural diversity and be a potential cause of tension or alienation - will require to change, given the adoption of the UNCRC. This need is recognised in *Learning in 2(+) Languages* (2020) in which Education Scotland acknowledges the importance of the home language for bilingual learners and advises that under Article 30 of the UNCRC, 'Opportunities to use first language in school should be given, and opportunity to develop their home language(s) should be offered.' (page11). Addressing this omission would not only ensure more inclusive outcomes for EAL learners, and support them to reach their fullest potential, but also would offer more options in relation to language learning for all, thereby promoting even greater understanding and respect between learners of different nationalities.

Awareness of other cultures and their heritage can be increased for all children and young people by learning within a number of other curriculum areas. For example, learning in the *Expressive Arts* helps children and young people to recognise and value the variety of cultures that exist, and have existed, locally, nationally and globally. In *Mathematics* at First Level, pupils discuss the important part numbers play in the world and explore the

variety of systems that have been used by civilisations throughout history to record numbers.

At Fourth Level within *PSE* 'Physical activity and health' learners have the opportunity to explore the role of sport in cultural heritage. While the examples provided in the documentation are of Scottish heritage, teachers may wish to broaden out the examples to make them inclusive of the many cultures within Scotland today.

In *Social Studies* also at Fourth Level in 'People, past events and societies' learners are expected to have developed a sense of their heritage as a British, European or global citizen and to be able to present arguments about the importance of respecting the heritage and identity of others.

### Integrity of the Earth

Many curriculum areas provide opportunities for learning about the need to protect our planet and to gain skills in how that objective might be achieved. It is a crucial objective in Education for Peace, given a failure to combat climate change is likely to result in economic, social and political instability as the impact of climate change increasingly is felt across the world. The resultant pressures are likely to add to any tensions which already exist between individuals, groups or nations and, at the very least, undermine social cohesion.

These potential consequences are not the focus for the majority of the learning experiences in *CfE* about the environment. A more positive view, a sense of individual and collective empowerment, is communicated within the learning experiences.

For example, one of the purposes of learning in *Technologies* is to enable children and young people to 'contribute to building a better world by taking responsible ethical actions to improve their lives, the lives of others and the environment.' Another purpose is to enable children and young people to 'be capable of making reasoned choices relating to the environment, to sustainable development and to ethical, economic and cultural issues'.

From Early Level in the organiser 'Technological Developments in Society and Business' pupils learn how to reduce, re-use and recycle the resources they use; by Second Level pupils analyse how lifestyles can impact on the environment and Earth's resources and they make suggestions about how to live in a more sustainable way as well as making suggestions as to how technologies, such as renewable energies, can be used to support sustainability and reduce the negative impact on the environment; at Third Level learners are expected to be able to evaluate the implications for individuals and societies of the ethical issues arising from technological developments; and at Fourth Level learners are expected to be able to explain the impact of technologies on globalisation, patterns of work and conditions of employment

In *Social Studies* in 'People, place and environment' at Early Level, pupils explore and appreciate the wonder of nature within different environments

such as their immediate outdoor space, their local woodland or glen or park or green space, and have opportunities to show how they care for the environment; the impact of climate change begins to be considered at First Level, with pupils knowing how climate affects living things; at Fourth Level, they have sufficient knowledge to discuss the sustainability of key natural resources and to analyse the possible implications for human activity.

Also at Fourth Level learners research the globalisation of trade and are able to explain the interdependence of different parts of the world and assess the impacts for providers, consumers and the environment.

Learning linked to practical experiences of preparing and cooking a variety of foods at First and Second Levels in *HWB Food and Health*, 'Food and consumer', enable learners to become aware of the journeys which foods make from source to consumer, their seasonality, their local availability and their sustainability.

In the *Sciences* from Early Level children are expected to demonstrate an awareness of the importance of respecting living things and the environment and of managing the Earth's resources responsibly. By Second Level it is anticipated that learners will express informed views about scientific and environmental issues based on evidence.

Within the Planet Earth organiser, 'Biodiversity and interdependence', pupils from Early Level are aware already of how living things depend on each other; by Fourth Level young people can predict the impact of population growth on the planet and the natural hazards of that growth on biodiversity.

In 'Topical Science' at Third Level young people are expected to have an understanding of bias and to be able to separate fact from opinion in their evaluation of media items linked to Science; important attributes when considering environmental issues.

A need for critical thinking is progressed across all curriculum areas as at Third Level in *Literacy* learners are expected to comment on the reliability and credibility of sources when developing an informed view on any matter.

Learning experiences and outcomes at Third Level in *English* could provide opportunities for learners to read or watch Greta Thunberg's speeches, analyse the persuasive techniques she uses, or participate in group discussion and/or write their own discursive essays about climate change.

While this policy has focused on Education for Peace within schools, the EIS believes it should be pursued in every sector of our education system: nursery, primary, special, secondary, further and higher.

## **Conclusion**

From the above examples, it can be seen that *Curriculum for Excellence* can and does provide the skills and some of the knowledge our learners require to become active citizens who can influence and change the future to enable all to live in a more peaceful and just world.

### **Mapping Professional Learning Opportunities for EIS members on Education for Peace**

The below is the result of an initial exploration of professional learning (PL) opportunities available to teachers in Scotland on the topic of Education for Peace and related subject areas. Courses, programmes and resources included here are publicly advertised by the relevant organisations and have been identified on the basis of desk research in August 2021. A more extensive mapping exercise based on engagement with key partners may identify additional forthcoming PL opportunities not included here, or opportunities which are not publicly advertised.

#### **Professional Learning on Education for Peace**

Specialist peace education organisations in Scotland are not currently offering PL programmes directly to teachers. Whilst organisations such as Peace Education Scotland offer resource packs for teachers to use in schools for the delivery of peace education (listed below) and have previously presented on the use of these materials to sector conferences, no structured PL offer is made to support teachers knowledge and skills in this area.

This is in contrast to CND<sup>27</sup> Peace Education, which offers [free professional learning for teachers in England](#) on peace education topics. Partner networks such as the Peace Education Network has previously hosted UK-wide skills workshops for education professionals, but does not have a live offer in 2021-22.

#### **Global Citizenship Education professional learning related to Education for Peace**

A variety of PL opportunities are available to teachers in Scotland in the broad category of Global Citizenship Education (GCE), Learning for Sustainability (LfS), and Education for Sustainable Development. The relevance of these opportunities to Education for Peace is variable. PL opportunities on these topics often seek to engage participants with the UN Sustainable Development Goals, including SDG 16 "Peace, Justice and Strong Institutions" which may provide a basis for supporting teachers to deliver peace education.

[Scotland's Development Education Centres \(DECs\)](#) lead collaboratively on the delivery of Global Citizenship Education, including professional learning for teachers to deliver GCE in their own context. Key opportunities relevant to peace education include:

- [Learning for a Better Future](#): a free, year-long GTCS-accredited programme on GCE approaches, leading to Professional Recognition in Learning for Sustainability. Delivered by [WOSDEC \(Glasgow\)](#),

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<sup>27</sup> The EIS is affiliated to CND Scotland.

- [ScotDec \(Edinburgh\)](#), [One World Centre \(Dundee\)](#) and [Highland One World \(Inverness\)](#).
- [Developing Global Citizens in the Primary Curriculum](#): twilight sessions introducing primary teachers to GCE concepts. Delivered by [WOSDEC \(Glasgow\)](#), [ScotDec \(Edinburgh\)](#).
- [A Global Citizenship Approach to Secondary Teaching](#): twilight sessions introducing secondary teachers to GCE concepts. Delivered by [MDEC \(Aberdeen\)](#), [ScotDec \(Edinburgh\)](#).
- [Learning for Sustainability in Early Years settings](#): twilight sessions introducing early years practitioners to GCE concepts. [WOSDEC \(Glasgow\)](#), [One World Centre \(Dundee\)](#).

EIS collaboration with the DECs is expected for forthcoming PL opportunities, building on [previous EIS PL activities on learning for sustainability](#).

[RCE Scotland](#), Scotland's Regional Centre of Expertise on Education for Sustainable Development (formerly LfS Scotland), is hosted within Moray House at the University of Edinburgh and offers professional learning for teachers in Scotland on LfS topics connected with the SDGs. Current programmes include:

- [Making Connections through Learning for Equity and Sustainability](#): an online programme for teachers in Scotland on implementing Learning for Equity and Sustainability, commencing in 2021.
- [Achieving the SDGs: Action through Learning in a time of Global Crises](#): GCE-based webinars on approaches to bringing about, embedding and sustaining the changes required for the global transition to a better world.

[Connecting Classrooms](#) through Global Learning, the British Council's [Education Scotland-endorsed](#) Education for Sustainable Development brand, includes a number of professional learning opportunities for teachers which are relevant to peace education. In Scotland, Connecting Classrooms PL is delivered by GCE partners including

- [RCE Scotland/LfS Scotland](#)
- [Catholic Agency for Overseas Development \(CAFOD\)](#)

Based outwith Scotland, [The Association for Citizenship Teaching \(ACT\) delivers professional learning for teachers on GCE topics](#) which may occasionally be accessible to EIS members, depending on funding arrangements.

Aside from specialist GCE providers, internationally recognised online learning on [Achieving Sustainable Development from Trinity College Dublin](#) has been made available free via FutureLearn (Open University). This course includes [significant content on SDG 16 'Peace, Justice and Strong Institutions'](#) alongside other GCE content.

## **Professional Learning for Restorative Practice**

Often developed to support themes and values associated with peace education, professional learning for teachers on conflict resolution and restorative practice may also contribute to EIS members' engagement with Education for Peace.

[Restorative Justice for Schools training and resource packages](#). RJ4S currently offers a variety of costed training packages for individual teachers and whole schools on implementing their Restorative Approaches model. RJ4S's ethos is informed by the Restorative Justice Council's Principles of Restorative Practice.

Local Authorities may also offer targeted training to teachers on restorative practice. Typically these are available via local Educational Psychology services, such as [the example of Glasgow Local Authority](#), and can be accessed by typical local PL platforms.

[EIS Professional Learning on 'Conflict Resolution and Restorative Practices'](#) (2020). This course was delivered free to EIS members by the City of Glasgow College, and supported by the SUL Learning Fund. Further iterations of this course are not currently planned, but resources are available to members via the EIS Professional Learning blog.

[LEAP 'confronting conflict'](#) is a Quaker education initiative focussed on skills for conflict resolution, led by peace education values. LEAP training programmes are available UK-wide for [workplace groups](#), or [via individual 'open courses'](#) with prices available on request. LEAP also produces a small number of [free resources to support teachers specifically](#), with a focus on the English schools context.

[Transforming Conflict 'Restorative Practices'](#) training is provided for educational settings. Limited details of their current training offer is available, though a live offer for 2021-22 is expected.

## **Other related PL topics to support Education for Peace**

[Amnesty International](#) continues to offer a UK-wide CPD programme and international teaching resources for teachers on engaging learners on human rights topics with an international perspective.

## **GTCS: Learning for Sustainability**

It is worth noting that Learning for Sustainability has been incorporated into the revised GTCS Professional Standards for Registration [as a key cross-cutting theme](#).

[GTCS Professional Guide on Learning for Sustainability](#) ' aims to help ...to embed Learning for Sustainability...inspiring and motivating learners to address the challenges of learning to live within the environmental limits of our planet and to build a just, equitable and peaceful society.

### **Resources to Support the Delivery of Education for Peace**

A significant number of organisations offer resources to support teachers with Education for Peace in their own context. While the availability of these resources cannot in itself be considered professional learning for EIS members, they may provide the basis for future professional learning based on partnership with these organisations or practice sharing amongst EIS members who have made use of these materials in their own setting.

- Peace Education Scotland (CND) resources and guidance for teachers: <https://www.peaceeducationscotland.org/> The majority of materials are for senior secondary pupils, although " Nuclear Weapons: Yes or No " (4 units) is for 'late primary to secondary school pupils'
- CND Peace Education teaching resources: <https://cnduk.org/education/free-teaching-resources/> - while CND Peace Education offers free training to teachers and in-school workshops, these are currently only available to teachers/schools in England.
- Global Campaign for Peace Education resources: <https://www.peace-ed-campaign.org/category/categories/curricula/> and they also host events <https://www.peace-ed-campaign.org/calendar/>
- Peacemakers 'Learning for Peace' teachers guide: [https://peacemakers.org.uk/wp-content/uploads/sites/22/2020/05/Learning\\_for\\_Peace\\_final.pdf](https://peacemakers.org.uk/wp-content/uploads/sites/22/2020/05/Learning_for_Peace_final.pdf)
- UNESCO Resources on SDG 16, drawn from a variety of international charities and campaigning organisations: <https://en.unesco.org/themes/education/sdgs/material/16> UNESCO , Peace Education Pack (Combined) – Conflict Resolution Education Connection for primary school pupils ; see this resource on <https://creducational.net>cat-item-651>
- Peace Education Network's 'Teaching Peace' resource: <https://peace-education.org.uk/teach-peace>. PEN is nominally coordinated by Quakers in Britain.
- Peace Pledge Union resources, supported by the Peace Research and Education Trust <https://www.ppu.org.uk/education> and Facebook page sharing contemporary resources from related organisations <https://www.facebook.com/PPUTeachers/>
- Quakers in Britain teaching resources <https://www.quaker.org.uk/resources/free-resources/teaching->

[resources-2](#) including Teach Peace and Peace Week packs, which has lesson plans for use with primary and secondary pupils

- Journey to Justice materials and resources from in-school programmes and previous training delivered to teachers: <https://journeytojustice.org.uk/training-programmes/>
- British Council 'Peacemakers and peace-breakers' teaching resource <https://www.teachingenglish.org.uk/article/peacemakers-peace-breakers> There are many but the most relevant for ages (in the organisation's view) 7 to 14 are 'Teaching Divided Histories – International Conflict'; 'One Voice for All'; 'Peace and Armistice Education Pack'; 'Indian Education Pack'; 'Migration Education Pack'; 'Polish Language and Culture Pack'; 'Living Together'; 'The Climate Connection Challenge'.

For 11 to 18 year olds 'Stereotypes and Islamophobia' ; 'Learning about the Arab World'.

- PeaceJam in-school resources, focused on the English schools context <https://peacejam.org.uk/education>
- Nil By Mouth anti-sectarianism teaching resources for schools in Scotland: <https://nilbymouth.org/schools/>
- EIS resources on Palestine and Israel - Understanding the Conflict <https://blog.eis.org.uk/>
- [The Peace Education Network \(UK\)](#) has a "Teach Peace" pack, with a number of ideas for assemblies (including 'What is peace?', 'Conflict resolution: A tale of two mules' and 'Barriers to Peace') but some activities could be done as class lessons for primary schools.
- [Amnesty International UK](#) has some relevant resources for primary – 'Learning about human rights in the Primary School resource pack', with teacher notes and downloadable activity sheets. It also has 'We are all born free' and 'Refugees' PowerPoints. The activities are separated into ages 5-7, and 7-11; some in the older range are probably more suited to P6 and P7).

Amnesty also has 'Education resources by theme'. For primary pupils 'Imagine' is the most relevant. There is a book linked to the song that can be bought from Amnesty but listening to the song and having the words on paper could be sufficient, given the resources which are provided online. Go to <https://www.amnesty.org.uk/files/Books/IMAGINE%20HRE%classroom%20activity.pdf>

Also from its home page of [Amnesty](#) go to the bottom and get the Quick Link to Education and Training. In the 'Teaching Young People' section go to 'Teaching Resources- Teach human rights with fiction'.

'The Kites are Flying' by Michael Morpurgo is the most relevant and may be a book read within schools already ( it suggests for age 10+).

- [United Nations](#) See 'Student Resources- United Nations Sustainable Development' ; the resources cover the 17 SDGs from an early age. Goal 16 is ' promote peace, justice and strong institutions'
- [Oxfam Education](#) , go to 'Classroom Resources ' – 'Stand with Refugees' has a slide show and teaching ideas (for 7 to 14 year olds); 'International Women's Day' has the same type of resource(for 9 to 14 year olds); and its ' World Book Day Activities' (for 7 to 14 year olds) look to be relevant as well. There is also a ' Stories of Climate Change' resource (for 9 to 14 year olds)
- *IDEAS* – see <http://www.ideas-forum.org.uk>  
Go to 'Global citizenship in the curriculum', then 'Find teaching resources' , then 'Signposts for Global Citizenship' then select 'Topic' and go down to ' Peace and Conflict' to find a range of resources for primary and secondary schools, with CfE level suggested.

The same resources can be accessed via <http://afairerworld.org.uk>  
Go to 'Resources', and then under 'Signposts for Global Citizenship', go to 'Peace and Conflict'

- [Graines de Paix](#) is an European NGO in the field of education, it has free Education for Peace resources.
- [Scottish Mediation](#) has useful resources, including in the non-members' resources the 'Good Practice Guidelines' that may be useful.

# Campaigning on Land Value and Financial Transactions Tax

## February 2022

### Background

1. The 2021 EIS Annual General Meeting passed the following resolution:

*“That this AGM instructs Council to campaign, with other Trade Unions and affiliated organisations when possible, in favour of the following taxes as means of increasing spending on education and other public services:*

- a) *“Land Value Tax;*
- b) *“Financial Transactions Tax.”*

2. This paper explores the trade union case for campaigning on these progressive taxation policies, as well as the ongoing campaigns that the EIS may wish to support.

### Land Value Tax

3. Research commissioned by the Scottish Land Commission explored the possibility of introducing a Land Value Tax in Scotland.
4. “Land value tax (LVT) is a recurrent tax on landowners based on unimproved land value, usually levied as a percentage of the unimproved capital value of the site. Normally there is an assumption that the unimproved land has the right to be developed in accordance with its ‘highest and best use’. LVT is implemented in many countries, though several have moved away from it in part or in whole (e.g. South Africa and New Zealand).
5. “According to economic theory, land value is the price of monopoly: the scarcer and less substitutable a parcel of land is, and the more attractive the location in relation to the market (consumers) and factors of production (labour, raw materials), the more valuable the land. Because land is a ‘gift of nature’ and does not cost anything to produce, this value net of the value of any improvements may be taxed without harm to economic efficiency and production. Further, it is argued that where land values rise, such as on the grant of planning consent, this is due to the actions of the community, not the landowner or occupier. In addition to the obvious purpose of raising revenue for government, economic theory suggests that LVT has a range of benefits:
  - it can encourage highest and best use of land;
  - it can capture the uplift in private wealth that arises due to public investment;
  - it may encourage denser development and therefore limit urban sprawl; and

- it may stabilise the price of real estate by reducing and stabilising underlying land prices.”<sup>1</sup>
6. This research was conducted in 2018 and found that there is, little firm evidence that these theoretical benefits have been achieved in the countries that have implemented LVT.<sup>2</sup>
  7. Their investigation report explored 4 options for taxation reform as outlined below:

**i. “Option 1: Extend existing land and property taxes**

Option 1 targets rural properties which are currently excluded from the non-domestic rates tax base, potentially including land which is part of larger estates. The land would be taxed based on its annual rental value assuming existing use, including improvements, with the liability falling on the occupier in the first instance. Currently excluded rural properties brought into the tax base would be valued and taxed based on the combined rental value of the land and the business properties built on that land. In instances where there are no properties, the land would still be taxed based on its annual rental value. This option could be delivered through adjustments to the existing taxation system for non-domestic rates.

**ii. “Option 2: Reform existing land and property taxes**

Option 2 builds on option 1 but is primarily aimed at making the existing LPT system more progressive through reforming existing council tax and non-domestic rates. Council tax could be reformed so as to update the valuations and capture wealth increases since 1991, to conduct regular revaluations, to reform council tax banding to tax higher value properties more progressively and to review reliefs and exemptions. Non-domestic rates could be reformed so as to conduct more regular revaluations, revise relief provisions and exemptions so as to include currently excluded land such as agricultural uses. In this option, the taxable entity would be the occupier in the first instance.

**iii. “Option 3: Introduce a LVT alongside existing LPTs**

The main objective of this option is to introduce a form of LVT which seeks to achieve many of the objectives of a single LVT, but without requiring total replacement of the existing LPT system. All rural land (including land currently exempt from non-domestic rates), non-residential land and residential land (including vacant, under-used and derelict land) would be taxed based on the capital value in its unimproved state assuming highest and best use (HABU) with the liability falling on the landowner only. This would in effect represent the introduction of a LVT, with the theoretical incentive for landowners to develop or sell under-utilised land where the HABU value is higher than the existing use value. In terms of the meaning of HABU, it is suggested that it should be defined as ‘most profitable permissible development’. Under this option,

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<sup>1</sup> Scottish Land Commission, “Investigation of Potential Land Value Tax Policy Options for Scotland” (Dr Cathy Hughes Dr William McCluskey Professor Sarah Sayce Dr Edward Shepherd Professor Pete Wyatt, University of Reading) 2018 [https://www.landcommission.gov.scot/downloads/5dd6984da0491\\_Land-Value-Tax-Policy-Options-for-Scotland-Final-Report-23-7-18.pdf](https://www.landcommission.gov.scot/downloads/5dd6984da0491_Land-Value-Tax-Policy-Options-for-Scotland-Final-Report-23-7-18.pdf)

<sup>2</sup> Ibid.

existing taxes could be reformed as in Option 2, but would be levied based on the value of the buildings only.

**iv. “Option 4: Introduce a single LVT that replaces existing LPTs**

Option 4 represents the most radical intervention as it would replace all existing LPTs with a single LVT on all land. The tax would be based on the capital value of the land in its HABU excluding improvements, with the landowner as the taxable entity. This would mean that the tenants of domestic and non-domestic properties would not pay the tax. Therefore, a proportion of the revenue generated by this option would have to be retained by or provided to local authorities in order to fund local services and infrastructure. In terms of the meaning of HABU, it is suggested that it should be defined as ‘most profitable permissible development’.”<sup>3</sup>

8. The Scottish Land Commission is a public body established in 2017 by the Land Reform Scotland Act (2016). They are wholly funded by the Scottish Government making recommendations to Scottish Ministers, where appropriate, for legislative and policy change across three priority areas of work: reforming land rights, embedding responsible land ownership and use, and reforming land markets.<sup>4</sup>
9. Their report gives impartial advice on how a LVT may be introduced in Scotland, but they are not a campaigning organisation.

## **Land Value Tax Campaigning Opportunities**

### **Land Value Tax Campaign**

10. There is a UK campaign group called the Land Value Tax Campaign which campaigns specifically on the implementation of a Land Value Tax<sup>5</sup>. As they are a UK campaign, their activities appear to be confined to a Westminster audience. This would be challenging for the EIS to support as any additional taxes gathered through land would be seen as local taxation and therefore the responsibility of the Scottish Government. Initial desk-based research has not found any Scotland only groups campaigning specifically on this issue.
11. No party elected to the Scottish Parliament in May 2021 included a Land Value Tax as a manifesto commitment. The Scottish Green Party, however, has commissioned a report which explores the possibility of a Land Value Tax.<sup>6</sup> The report was written by Andy Wightman, a writer, researcher and activist. Mr Wightman served as a Green MSP between 2016 and 2021, before stepping down over the Scottish Green Party policy on transgender rights. His report was written before he served as an MSP. The Scottish Greens have since outlined their policy

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<sup>3</sup> Ibid.

<sup>4</sup> Scottish Land Commission, <https://www.landcommission.gov.scot/about-us>

<sup>5</sup> Land Value Tax Campaign, <https://www.landvaluetax.org/>

<sup>6</sup> Andy Wightman, “A Land Value Tax for Scotland: Fair, Efficient, Sustainable” A report prepared by Andy Wightman for the Green MSPs in the Scottish Parliament (published by the Scottish Green Party 2010)

on Land Value Tax which would include: “a complete and up-to-date Land Register, a reformed planning system, a robust land zoning system.”<sup>7</sup>

### **Friends of the Earth**

12. Friends of the Earth have indicated that they are broadly supportive of a Land Value Tax in order to better meet their aims, and to value agricultural land better. The EIS has already been supportive of the work that Friends of the Earth do.

### **Scottish Parliament**

13. The issue of Land Value Tax was initially brought to the Scottish Parliament in 2000 through a committee investigation, although there was no mention of LVT in the final report. It was then again brought back to the Scottish Parliament in 2003 with the following resolution being passed: “That the Parliament notes recent studies by the Scottish Executive and is interested in building on them by considering and investigating the contribution that land value taxation could make to the cultural, economic, environmental and democratic renaissance of Scotland.”<sup>8</sup>
14. There has been continued debate in the Scottish Parliament around a Land Value Tax, and with the creation of the Scottish Land Commission, and their published research there seems to be continued interest in this policy.

### **Next Steps for Land Value Tax Campaigning**

15. The Committee may wish to include mentions of Land Value Tax to the EIS political monitoring with a view to supporting any debates or committee inquiries. We can also scope out the potential campaign options with other unions, or emerging campaign groups based in Scotland. The Committee should note that Friends of the Earth, an organisation that the EIS has already demonstrated support to is broadly supportive of a LVT.

### **Financial Transactions Tax**

16. A financial transaction tax (FTT) is a levy on a specific type of financial transaction for a particular purpose. The concept has been most associated with the financial sector and is not usually considered to include consumption taxes paid by consumers.
17. A transaction tax is not a levy on financial institutions per se; rather, it is charged only on the specific transactions that are designated as taxable. So if an institution never carries out the taxable transaction, then it will never be subject to the transaction tax, this can be done for

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<sup>7</sup> Scottish Greens, “Land Value Tax” (31<sup>st</sup> August 2020) <https://greens.scot/highlands-and-islands/news/land-value-tax-16046>

<sup>8</sup> Scottish Parliament, “Minutes of Proceedings Meeting of the Parliament Vol 4 No 47 Session 1 Thursday 30 January 2003” <https://web.archive.org/web/20110501050914/http://www.scottish.parliament.uk/business/chamber/mop-03/mop-01-30.htm>

example by setting the thresholds for when such a tax would be triggered to a level that would only affect very large organisations, or transactions that do not affect day to day living for ordinary people. Furthermore, if an institution carries out only one such transaction, then it will only be taxed for that one transaction. As such, this tax is neither a financial activities tax (FAT), nor a Financial stability contribution (FSC), or "bank tax".<sup>9</sup>

### European Commission proposals

18. The FTT is a tax, proposed by the European Commission, to be applied to transactions in "financial instruments" involving "financial institutions" where at least one party to the transaction is established in a participating member state (the FTT Zone) or where the transaction involves financial instruments issued in the FTT Zone.
19. "Financial instruments" include bonds, derivatives, shares, securities and units or shares in collective investment undertakings. "Financial institutions" include banks, collective investment schemes and pension funds. The definition, however, also includes persons (i.e. non-financial entities) carrying out certain financial activities (such as deposit taking, lending or financial leasing) where the average annual value of their financial transactions constitutes more than 50% of their overall average net annual turnover. It is this wider limb of the definition that could bring non-financial institutions such as treasury companies into the scope of the FTT.<sup>10</sup>
20. The European Commission had plans for an EU-wide FTT in 2012 but had to abandon them after there was insufficient support for the proposals. However, under the 'enhanced cooperation' procedure a minimum of nine member states were allowed to go forward with their own plan for the FTT, and currently ten participating member states are proceeding under this process. They are: Austria, Belgium, France, Germany, Greece, Italy, Portugal, Slovakia, Slovenia and Spain.
21. The first proposal for the whole of the EU was presented by the European Commission in 2011 but did not reach a majority. Instead, the Council of the European Union authorized member states who wished to introduce the EU FTT to use enhanced co-operation. The Commission proposed a directive for an EU FTT in 2013 but the proposal stalled.
22. In 2019 Germany and France released a proposal based on the French financial transaction tax and the finance ministers of the states participating in the enhanced cooperation came to the consensus that the EU FTT should be negotiated using this proposal.<sup>11</sup> These proposals are still being discussed by the European Commission, ahead of any further vote of the European Parliament.
23. As Financial Transaction Taxes only work if the majority of trading partners are signed up to them, the campaigning for an FTT would sit with Westminster, as well as through international stakeholders.

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<sup>9</sup> Wikipedia, "Financial transaction" tax [https://en.wikipedia.org/wiki/Financial\\_transaction\\_tax](https://en.wikipedia.org/wiki/Financial_transaction_tax)

<sup>10</sup> Pinsent Masons, "Financial Transaction Tax" (May 2016) <https://www.pinsentmasons.com/out-law/guides/financial-transaction-tax>

<sup>11</sup> European Commission, "Taxation of the financial sector" [https://ec.europa.eu/taxation\\_customs/financial-transaction-tax\\_en](https://ec.europa.eu/taxation_customs/financial-transaction-tax_en)

## Financial Transaction Tax Campaigning Opportunities

24. 'The Robin Hood Tax' is the most well-known campaign group in the UK advocating a Financial Transactions Tax (FTT). It has stated<sup>12</sup>:

- i. *A Robin Hood Tax is a tiny tax on the financial sector that could generate billions of pounds annually to fight poverty and climate change at home and abroad. Small change for the banks - big change for those hit hardest by the financial crisis.*
- ii. *Also known as a Financial Transactions Tax (FTT), a Robin Hood Tax is a tiny tax of about 0.05% on transactions like stocks, bonds, foreign currency and derivatives, which could raise up to £250 billion a year globally. FTTs are well-tested, cheap to implement and hard to avoid.*
- iii. *In fact, there are already lots of different Robin Hood taxes implemented by many countries, including in the UK. We think there should be a lot more of them, particularly in areas not yet taxed, like transactions of bonds and derivatives. Importantly, transaction taxes are also good in that they would reduce the number of the most risky trades, the gambling which helped to trigger the 2008 financial crisis.*

25. 'Most recently 'The Robin Tax' group has also launched a "Make Polluters Pay" campaign calling on the companies with the largest carbon and toxic emissions to be taxed to a higher level.

## EIS , STUC and TUC Position on Financial Transactions Tax

26. The TUC supports a Financial Transaction Tax. Its written evidence to the EU Economic and Financial Affairs and International Trade Sub Committee (in 2011) stated<sup>13</sup>:

*"The TUC strongly supports the introduction of taxes on financial transactions for a number of reasons, including the potential use of the revenues to address the challenges of climate change, poverty at home and abroad, and addressing public sector deficits. We also believe that such taxes could form part of a re-balancing of the economy by addressing the under-taxation of the financial sector (as suggested, by levying a form of sales tax) and by reducing the current incentives for short-term investments and the excessive use of capital for trading purposes rather than investment in manufacturing and services. At the very least, financial transaction taxes would recompense the Exchequer for the reduced interest costs consequent on the implicit bail-out guarantee, estimated by the Bank of England to be up to £100bn a year in the UK."*

27. There are no active STUC or TUC campaigns on FTT.

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<sup>12</sup> The Robin Hood Tax, "What is a Robin Hood Tax?" [https://www.robinhoodtax.org.uk/faq#list-block\\_1-0](https://www.robinhoodtax.org.uk/faq#list-block_1-0)

<sup>13</sup> <https://www.parliament.uk/globalassets/documents/lords-committees/eu-sub-com-a/FinancialTransactionTax/FTTWrittenandoralevidence.pdf>

28. A number of trade unions are signed up to support 'The Robin Hood Tax' campaign, together with the TUC, Oxfam, Stamp Out Poverty, ActionAid, UNICEF UK and Comic Relief. Supporting the Robin Hood Tax campaign would progress campaigning in both Financial Transactions Tax and Climate Change areas.
29. In February 2010, the EIS agreed to join the Robin Hood Tax Campaign to call for a Financial Transactions Tax and to encourage Local Associations to support the Campaign.

### **Recommendations**

The Committee is asked to note this report and to:

1. Reaffirm the Institute's commitment to supporting a Financial Transactions Tax and a Land Value Tax.
2. Continue to engage in supporting any STUC and TUC initiatives that support a Financial Transactions Tax and a Land Value Tax.
3. Continue to support the Robin Hood Tax Campaign and to encourage Local Associations to support the Campaign.

## **Pursuing an Industrial Action Strategy to Frustrate or Stop HMIE Inspections**

1. The November Council meeting adopted the following resolution:

*"That this Council calls upon the executive committee to investigate the possibilities of industrial action in regards to the resumption of HMIE inspections up to and including the non-cooperation of members with such activity."*

### **The Nature and Scope of Trade Dispute**

2. In order for lawful industrial action to take place, there must be a legitimate trade dispute in place between the trade union and the employer of the affected staff. As HMIE are not the employers of teachers, the question arises as to whether such a dispute can be generated. We have received legal advice to the effect that a requirement that (some) teachers have to co-operate with inspectors in the current school environment could be considered a trade dispute as it is a dispute about what those teachers are required to do.
3. Such a trade dispute could be lodged with individual employers (i.e. local authorities) if inspections are to be resumed at a time when the EIS does not consider this to be appropriate.
4. A number of issues would arise, however, in relation to whether a dispute would centre only on those members directly involved in a planned inspection (i.e. members within a named school), members across a local authority, or potentially all members through a dispute lodged with COSLA at a national level. It would be for the EIS to decide the nature of the trade dispute lodged, and the members involved, but clearly the challenge of meeting ballot thresholds would be a factor in such planning.
5. The timeline around balloting and potential action would be critical factors also, in relation to effective action.
6. In principle, however, industrial action, in the form of strike action, against a HMIE decision to resume inspections is possible.

### **Industrial Action to Be Take in Pursuit of the Trade Dispute**

7. The Council resolution specifies industrial action of *"up to and including the non-cooperation of members with such activity."* If non-cooperation is defined as a refusal to teach a class with an inspector present, then the action would be strike action – even if it were to be for one hour's duration.

8. If non-cooperation is defined as the actions set out below, then our legal advice is that this would be industrial action short of strike action:
  - Non-cooperation with admin/bureaucratic tasks in preparation for an inspection
  - Refusal to participate in any meeting to do with an inspection
  - To refuse to meet an HMIE inspector outwith the class
  - Showing pupils a relevant film if an inspector turned up to a class
9. With ASOS the possibility of "deeming" becomes an issue, where members are threatened with deduction of pay for "partial" performance.
10. Again, however, the principle of industrial action short of strike, in response to actual inspection processes, appears to be established as a possibility.
11. In the event that these options were being considered in practice, and members were to be balloted on their willingness to carry out strike action and/or action short of strike action, a two-question ballot paper could be issued, which would include the planned programme of industrial action.
12. The EIS standard approach to industrial action scenarios is to conduct consultative ballots to ascertain members willingness to engage in action and to create some negotiating leverage as a consequence. Beyond that it takes approximately a minimum six weeks to carry out a statutory ballot and initiate industrial action.
13. Executive Committee is asked to note this paper.

## 2022 Local Government Elections: EIS Planning

1. The local government elections in May 2022 offer a campaigning opportunity for the EIS. The political parties are at their most receptive in terms of EIS policy “asks” and the election campaigning often produces “promises” from parties in response to active campaigning that can be relied on after the elections.
2. Council elections are an opportunity, also, to focus on local issues and provide an opportunity to Local Associations and members to put pressure on local parties or candidates to make promises on local issues.
3. The aims of publishing an EIS local government election manifesto are to:
  - Highlight key policy aspirations to members;
  - Assist in national campaigning by leveraging pressure on the national political parties to respond to the EIS policy aspirations (the “asks”);
  - Assist in local campaigning by leveraging pressure on the political parties locally to respond to the EIS policy aspirations.
4. In terms of the May 2022 Local Government elections, key EIS national policies aspirations to be highlighted in Manifesto, include: the 20:20 Campaign; the empowerment agenda; staffing matters around supply/NQTs/RQTs/ permanent posts; ASN; postcode lottery in terms of support services & recruitment practices; class contact cuts; and Covid recovery.
5. The specific issue of the COSLA’s one workforce agenda and its impact on pay negotiations should feature prominently. The 25 January Strategy Sub Meeting draft minute records:

*“The Sub-Committee further noted the challenge presented to the SNCT national collective bargaining machinery by COSLA’s “One Workforce” agenda, recommended that this to be a key element of the EIS local government election campaigning. The Sub-committee noted, also, the importance of connecting campaigns (thereby creating synergies across all campaign streams e.g. workload, well-being, pay etc.”*
6. In addition to the above, LAs may have active issues in specific local authorities and thus a focus of local campaigning e.g. Executive headships.
7. Current plans for the May 2022 local government elections are to:
  - Develop and implement a holistic campaign strategy to bring together the aims, materials, timings, and communications for the May 2022 local government elections.
  - Publish an EIS manifesto for the May 2022 local government elections. Officials have begun drafting an EIS manifesto for the local government elections.
  - Promote and press release the EIS manifesto and engage with all national political parties with the “asks” of the EIS manifesto to secure national outcomes.

- Consider arranging a national hustings event and offering support to LAs to hold their own hustings events.
- To produce a local campaign pack to assist LAs and members to engage with local parties and candidates to secure local outcomes.

### **Recommendation**

The Committee is asked to approve the above strategy; to give powers to the General Secretary to produce said manifesto; to approve the development and implementation of a campaign strategy for the local government elections, with oversight of the campaign resting with the Strategy Sub Committee.

## Combating Fake News and Disinformation

The 2021 AGM adopted the following Resolution

*"That this AGM instructs Council to campaign for the creation of an education programme designed to help Scottish citizens combat fake news and disinformation."*

Fake news has been described as existing within a larger ecosystem of misinformation and disinformation. The definitions chosen for this paper are set out below.

Misinformation	Misinformation refers to false information that is shared without an intent to mislead.	UK Government <a href="https://sharechecklist.gov.uk/">https://sharechecklist.gov.uk/</a>
Disinformation	Disinformation is the deliberate creation and sharing of false and/or manipulated information that is intended to deceive and mislead audiences, either for the purposes of causing harm, or for political, personal or financial gain."	Disinformation and 'fake news': UK Government Response to the Committee's Fifth Report of Session 2017–19, 23 October 2018, HC 1630 Government response to Interim Report, page 2.
Fake News	News articles that are intentionally and verifiably false, and could mislead readers.	Allcott and Gentzkow, 2017

There are several definitions of "fake news", and there is some evidence that the term has changed in recent years to become more politically loaded, and that 'fake news' has at times been used to describe content that a person might dislike or disagree with.

The use of disinformation is well documented in history and occurs in trade, politics, war, peoples' private lives etc. Arguably, the adverse effects of systematic state produced disinformation were best recognised in the first half of the 20<sup>th</sup> century. It was labelled "propaganda".

Previously, most people got the news from watching live TV, listening to the radio or reading newspapers. All are regulated platforms, to some extent. In some countries, it was generally understood that the standards set by their political customs, laws, statutory regulations, self-regulations and journalistic standards ought to ensure that reported "news" was accurate and there was less of it coming from relatively few sources.

The advent of social media and the fact that social media platforms were not deemed as news outlets and therefore not subject to the same regulations as broadcast news (OFCOM) or newspapers (IPSO) has led to concerns around the growth of misinformation and disinformation in modern times.

Furthermore, these social media platforms work by managing their content with their users in such a way that disinformation is increased. The users are often unaware that they are receiving biased and targeted content based on the data the social media platforms have gathered or obtained on their users. As the Social Dilemma<sup>1</sup> film on Netflix states, *"If you type in "Climate Change is..." on Google, you will have different results depending on where you live and the particular things Google knows about your interests..."*

The use of online blogs to share news, views and information is also part of social media, are also another source of news for people.

Modern society, therefore, offers more news from a greater range of providers, and many people do not watch any broadcast news – i.e. most of their news sources are unregulated and may not even be produced by journalists. This shows that our regulation systems haven't kept pace with modern life. There is a debate as to how far additional regulation should go and whether OFCOM or IPSO are the way forwards, but many social media companies are self-regulating at the moment – possibly in an attempt to keep proposed independent regulation at bay, eg the proposed EU Digital Services Act.<sup>2</sup>

Within the US, the 2016 Presidential Elections saw what many commentators considered to be a huge increase in the dissemination of "False News", particularly on social media platforms that fed into the main news cycles. In the same year, the UK voted for Brexit and this again was affected by claims of "False News"<sup>3</sup>, eg extra NHS funding.

An article in Nature<sup>4</sup> reported:

*"A comprehensive investigation of the spread of true and false news in Twitter also showed that false news is characterized by a faster and broader diffusion than true news mainly due to the attraction of the novelty of false news. A polarization in communities is also observed in the consumption of news in general and corresponds with political alignment. Recent works also revealed the role of bots, i.e. automated accounts, in the spread of misinformation."*

The risks of "false news" and disinformation are they alter public opinion, polarise public opinion, promote extremism and reduce trust in democratic decision making and even endanger democratic decision making. These risks have long been understood but their relevance in some countries has become greater in recent times, especially with the increasing use of the internet and social media.

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<sup>1</sup> [https://www.youtube.com/watch?v=rvg0eY\\_Ls4Y](https://www.youtube.com/watch?v=rvg0eY_Ls4Y)

<sup>2</sup> <https://digital-strategy.ec.europa.eu/en/policies/digital-services-act-package>

<sup>3</sup> <https://www.independent.co.uk/voices/michael-gove-boris-johnson-brexit-euro-sceptic-press-theresa-may-a7533806.html>

<sup>4</sup> <https://www.nature.com/articles/s41467-018-07761-2>

## Combating Fake News – Digital Literacy Programmes & Training

Research has highlighted the difficulties people have in determining how to identify false news.

The UK Parliament published its “Disinformation and ‘fake news’: Final Report” in 2019, it stated:

*“It is hard to differentiate on social media between content that is true, that is misleading, or that is false, especially when those messages are targeted at an individual level. Children and adults need to be equipped with the necessary information and critical analysis to understand content on social media, to work out what is accurate and trustworthy, and what is not.”*

The Council of Europe has stated that:

*“It is vital for schools to provide students with a solid education on media and information literacy as part of the curriculum.*

*Teachers must be well-trained in the subject to empower students with the necessary competencies to critically understand and assess information reported by all forms of media.”*

The Curriculum for Excellence has an express reference to “fake news”.<sup>5</sup> This is covered in several parts of the curriculum, including IT and a ‘You Decide – A Political Literacy Resource’ which is ‘aimed at developing professional capacity in practitioners, schools and community settings to develop and embed the key skills of political literacy in young people.’<sup>6</sup> It has a large number of resources to download – including some on ‘fake news’.

Other countries also have digital literacy programmes for pupils. Finland not only has a long-standing disinformation programme running in schools and colleges, but also runs advertising campaigns on disinformation for adults<sup>7</sup>. Finland gained its independence from Russia in 1917, and it seeks to ensure its population can recognise disinformation as it is a tool often deployed by that country.

There are several resources to help adults identify false news on social media or the internet, some of these are listed in Appendix A. Whilst we can draw such resources to the attention of our members, they may not be ideal for combatting false news here in Scotland.

The Executive has previously agreed to hold an EIS webinar on “False News” and this is planned to be released shortly. This will be recorded, and the video hosted on our website. Further details on the content are set out in Appendix B.

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<sup>5</sup> <https://education.gov.scot/media/uh2jebbs/nih158-what-digital-learning-might-look-like.pdf> Page 16  
<https://education.gov.scot/improvement/scotland-learns/resources-for-practitioners/interdisciplinary-learning-activities/how-our-news-is-delivered-first-level/>

<sup>6</sup> <https://education.gov.scot/improvement/learning-resources/you-decide-a-political-literacy-resource>

<sup>7</sup> <https://www.theguardian.com/world/2020/jan/28/fact-from-fiction-finlands-new-lessons-in-combating-fake-news>

The STUC is in the process of developing a 'Political Education' course with affiliates, including the EIS. This is at an early stage but may include some elements of combating false news and disinformation. This course is likely to be offered to members/activists/representatives of all STUC affiliates.

The Scottish Government has issued a short film on combating false news to do with Coronavirus<sup>8</sup>. This would seem to be recognition by the Scottish Government that it has a role in educating and informing people living in Scotland of false news. In the future, it could develop resources to help people combat false news, or even online courses to deliver an education programme for citizens. It may be possible to build a resource for adults from the current Education Resources cited earlier in this report.

The UK Government has a webpage<sup>9</sup> setting out how citizens may use a "SHARE" checklist to "help you spot false information." This is set out in Appendix C.

## **Recommendation**

1. To broadcast a Webinar for EIS members on "False News" and to host the recording for members to view.
2. To continue to work with the STUC in developing and delivering a political education course for STUC Affiliates' members that includes an element to combat false news and disinformation.
3. To seek support from STUC affiliates to approach the Scottish Government to develop online resources and/or to develop an education programme to help citizens combat false news and disinformation.

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<sup>8</sup> <https://twitter.com/scotgov/status/1291441410290249729>

<sup>9</sup> <https://sharechecklist.gov.uk/>

## Appendix A: Resources for Spotting or Addressing Disinformation

1. OFCOM has a statutory duty regarding promoting digital literacy amongst the public as it oversees broadcast media, mobile phone networks and other communication services – but not social media. It has some digital literacy resources:

<https://www.ofcom.org.uk/research-and-data/media-literacy-research>

2. The Electoral Commission is the independent body that oversees elections and regulates political finance in the UK. Part of this involves making sure that candidates do not lie about other candidates, but it also seeks to ensure “digital transparency”.

<https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/changing-electoral-law/transparent-digital-campaigning>

3. The ICO is the UK's independent body set up to uphold information rights. It can investigate personal data breaches and how social media platforms hold and process individuals' data.

4. The Advertising Standards Agency is a body that can deal with misleading advertising.

<https://www.asa.org.uk/advice-online/misleading-advertising.html>

5. The Council of Europe has issued an interesting oversight of “Dealing with Propaganda, misinformation and fake news” stressing the importance of providing training for teachers on media and information literacy to combat disinformation and false news.

[https://www.coe.int/en/web/campaign-free-to-speak-safe-to-learn/compendium/-/asset\\_publisher/V1I7nfhFNH6d/content/dealing-with-propaganda-misinformation-and-fake-news-intro?\\_101\\_INSTANCE\\_V1I7nfhFNH6d\\_viewMode=view/](https://www.coe.int/en/web/campaign-free-to-speak-safe-to-learn/compendium/-/asset_publisher/V1I7nfhFNH6d/content/dealing-with-propaganda-misinformation-and-fake-news-intro?_101_INSTANCE_V1I7nfhFNH6d_viewMode=view/)

6. UNESCO has recognised the role of journalists in fighting fake news, and produced a training handbook “*with modules on why trust matters; thinking critically about how digital technology and social platforms are conduits of the information disorder; fighting back against disinformation and misinformation through media and information literacy; fact-checking 101; social media verification and combatting online abuse.*”

<https://en.unesco.org/fightfakenews>

7. The Brookings Institute has an interesting webpage setting out “How to combat fake news and disinformation”

8. <https://www.brookings.edu/research/how-to-combat-fake-news-and-disinformation/>

9. IPSO is the independent non-statutory regulator for the newspaper and magazine industry in the UK. It allows members of the public to make complaints against newspapers and magazines and provides “training and guidance for journalists so they can uphold the highest possible standards.”

[https://www.ipso.co.uk/media/1485/social-media\\_v3.pdf](https://www.ipso.co.uk/media/1485/social-media_v3.pdf)

## **Appendix B: Planned EIS Webinar on Fake News**

### **Fake news detectives: effective news literacy in the classroom**

#### **About NewsWise**

NewsWise is an award-winning news literacy programme for upper primary pupils. The programme is run in partnership by the Guardian Foundation, National Literacy Trust and PSHE Association, bringing together expertise in journalism, literacy and PSHE education to address concerns raised by the National Literacy Trust's report on fake news and critical literacy: that young people trust the news less as a result of fake news; that only two percent of children have the critical literacy skills they need to identify fake news; and that teachers are concerned about the effect that fake news is having on children's wellbeing.

The NewsWise programme comprises a full unit of work, workshops, interactions with real journalists and opportunities for children to source, investigate, write and share real news stories on subjects that matter to them.

All of our resources are available online for all educators to access for free.

Essential to all our work is the use of real-life examples and putting skills in a real-world context to make learning immersive and fun, helping to develop responsible, empowered citizens of the future.

#### **About the webinar**

In this fun, practical session you will:

- Learn tips for discussing news in the classroom whilst creating a safe climate for learning.
- Understand the importance of developing pupils' critical literacy skills in the classroom.
- Explore fun, authentic and safe activities to teach about fake news, critically question online information and analyse news writing, considering points of view and language use.
- Consider how to create a real audience and purpose for news writing, and enhance the writing process through newsroom roleplay.

Suitable for primary teachers and educators, as well as teachers working with children transitioning from primary to secondary settings and those in lower secondary classes.

#### **About the speaker**

Elli Narewska is Head of primary education at the Guardian Foundation and runs the NewsWise programme, developing and delivering media literacy resources and workshops for schools and families as well as teacher training. Her work aims to make the world of news and media accessible to all young people, raising aspirations and giving them opportunities to make their voices heard. She has worked in news education for a decade, with particular interest in digital literacy and critical thinking. Prior to this, she was a secondary English teacher working in London comprehensives as well as a variety of SEND settings.

**Appendix C: UK Govt Website on False News, <https://sharechecklist.gov.uk/>**

# Take care with what you SHARE

Before you like, comment or share content online, use the SHARE checklist to help you separate fact from disinformation.



## Source

**Make sure information comes from a trusted source.** Have you heard of the source before? Do you recognise the url, or website name? Is the source verified? Checking these things can help you determine if a source is reliable.



## Headline

**Always read beyond the headline.** Headlines don't always tell the full story. Always check the date and read to the end before you share articles with family and friends.



## Analyse

**Check the facts.** If something sounds unbelievable, it very well might be. You can use fact-checking services which are correcting false information about important issues every day. Or check the fact with an official source such as GOV.UK or Full Fact.



## Retouched

**Does the image or video look as though it has been doctored?** It might be edited, or show an unrelated place or event. Check to see if the photo matches what an article says. You can also reverse image search to determine the source of the image.



## Error

**Look out for bad grammar and spelling.** Typos and other errors are clues that the information could be false. Official guidance will always have been carefully checked.

# Funding from Chinese Government for Provision of Mandarin

## Briefing Paper – March 2022

### Background

1. The 2021 EIS AGM passed the following motion:
  - a. *“That this AGM is concerned at the use of funding from the Chinese government for the provision of Mandarin to be taught in Scottish schools and sees such funding as inappropriate given the human rights record of the Chinese government. We call upon the EIS to investigate and report back on the sourcing and delivery relationship of this funding.”*
2. This paper explores the source and delivery of Chinese Government funding the provision of Mandarin to be taught in Scottish schools.
3. It should be noted that a full report was considered by the Institute following a September 2014 Council resolution in the following terms: (Appendix 1)

Confucius-Hub  
“That this Council resolve to investigate and report on the Confucius Hub project particularly in relation to:  
(a)the number of authorities and schools involved;  
(b)the funding model for the project;  
(c)the funding for related staff trips;  
(d)the effect the project has had on existing modern languages provision.”

### Confucius Institutes

4. Established in 2004, Confucius institutes (CIs) are non-profit organisations which aim to promote Chinese language and culture in foreign countries. There are 541 institutes and nearly 2,000 Confucius classrooms operating in 162 countries at the primary, secondary, and university levels.
5. Confucius Institutes are directly controlled, funded and staffed by an agency of the Chinese government’s Ministry of Education, the Office of Chinese Language Council International, known as the ‘Hanban’.
6. There are 30 Institutes in the UK, five in Scotland: Edinburgh, Glasgow, Heriot-Watt, Aberdeen and Strathclyde universities all host Confucius Institutes. The Confucius Institute for Scotland, hosted by the University of Edinburgh states its aims as:
  - a. “to help develop effective Sino-Scottish business, cultural and academic links
  - b. “to offer an extensive programme of Chinese language training
  - c. “to act as a bridge between Scotland and China, aiding understanding and facilitating engagement
  - d. “to be a major point of reference for Sino-Scottish relations in the areas of education, business and culture
  - e. “to work with other stakeholders to develop greater awareness of China in Scotland”<sup>1</sup>

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<sup>1</sup> The Confucius Institute of Scotland <https://www.confuciusinstitute.ac.uk/about-us/about-the-institute/>

7. All Confucius Institutes operate out of universities, which is a different model operated by other cultural and language outreach programmes ran by other countries such as Alliance Francaise, American Centers, the British Council, the Goethe Institute.
8. In 2019 a report investigating the prominence of Confucius Institutes across the world and in the UK. Within their report they state that by the end of 2017, there were 525 Confucius Institutes and 1,113 Confucius Classrooms in 146 countries, and China had the aim of establishing 1,000 Confucius Institutes by 2020. The Confucius Institute’s programme has 46,200 teachers, 1.7 million students of all kinds and 621,000 online registered students. In 2016, their budget was \$314 million, and from 2006-2016 China spent \$2.17 billion on Confucius Institutes.<sup>2</sup>

### **Confucius Institute for Scotland's Schools**

9. Confucius Classrooms are learning hubs radiating out across a local authority, based in schools and educating the local community. According to The Confucius Institute of Scotland’s Schools, the hub concept promotes joint planning of cultural activities, sharing ideas and resources to stimulate the learning and teaching of Chinese language and culture.<sup>3</sup> At present there are 22 Secondary Schools, 19 Primary Schools and 3 Specialist Confucius Classroom Hubs<sup>4</sup> in Scotland, and they operate under the aegis of the nearest university hosted Confucius Hub.
10. Launched in June 2012, the Confucius Institute for Scotland’s Schools (CISS) is the first government-initiated Confucius Institute in the UK, jointly established by the University of Strathclyde, Scotland’s National Centre for Languages and the Tianjin Municipal Education Commission.<sup>5</sup> It should be noted that some school based Confucius classrooms predate this initiative, primarily through the work of individual councils in conjunction with the now defunct LTS (Learning and Teaching Scotland). On the CISS website it states its aims as being:
  - a. “to provide strategic leadership, direction and professional learning for the Confucius Classroom Hubs. We do this to promote high quality language learning and teaching experiences in line with Scotland’s national priorities.
  - b. “to highlight and demonstrate the benefits of learning about Chinese language and culture as a means of developing intercultural competencies so that Mandarin is recognised widely as a key skill for life and work.
  - c. “to facilitate language-related research, share information and enable knowledge exchange between Scotland and China.”

### **Scottish Government Funding of Confucius Institute for Scotland’s Schools**

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<sup>2</sup> Conservative Party Human Rights Commission, “A Report of the Conservative Party Human Rights Commission” (February 2019) [https://conservativepartyhumanrightscommission.co.uk/wp-content/uploads/2020/03/CPHRC\\_Confucius\\_Institutes\\_report\\_FEBRUARY\\_2019-1.pdf](https://conservativepartyhumanrightscommission.co.uk/wp-content/uploads/2020/03/CPHRC_Confucius_Institutes_report_FEBRUARY_2019-1.pdf)

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> University of Strathclyde, “Confucius Institute for Scotland’s Schools” <https://www.strath.ac.uk/humanities/confuciusinstituteforscotlandsschools/aboutus/>

11. An FOI request published in August 2019 outlines the Scottish Government funding that has been put into the Confucius Institute for Scotland’s Schools since 2012. Table 1 below the funding that has been put into the Confucius Institute for Scotland’s Schools, and Appendix A outlines the agreement the Scottish Institute has with Hanban in China.

12. Article 6 under ‘Obligations’ of this agreement states the Obligations of the Headquarters:  
 “To provide teaching materials, coursewares, and other books according to the necessary, to authorise the use of online courses. To provide 3,000 volumes of Chinese books, teaching materials, an audio-visual materials for the first time.”

13. Table 1: **Confucius Institute for Scotland’s Schools: Scottish Government and Hanban joint funding**<sup>6</sup>

Year	Scottish Government	Hanban
2014-15	£754,000	£202,965
2015-16	£754,000	£367,344
2016-17	£754,000	£760,481
2017-18	£754,000	£858,344
2018-19	£754,000	£882,254

14. The FOI outlines how the joint funding is used:

- a. “22 secondary, 18 primary and 4 specialist Confucius classroom hubs in Scotland to support the learning and teaching of Mandarin
- b. “60 Hanban teachers in Scotland to support the teaching of Mandarin in the hubs
- c. “CISS staff salaries and University levy; provision of HR and IT services
- d. “All projects run by CISS or in partnership with other stakeholders
- e. “Flights and visas for immersion courses
- f. “Mandarin courses
- g. “Travel, expenses and hospitality for staff for meetings, hub events and conferences
- h. “Professional learning programme provided by CISS development officers
- i. “Mentoring programme for Hanban teachers provided by CISS development officers
- j. “Scholarships for Scottish students to go to China for a year
- k. “Attendance at world conferences and board meetings
- l. “Purchase of resources and materials
- m. “Maintenance of Confucius classroom and library

“Media, marketing and communication costs”<sup>7</sup>

15. Within the FOI response, it is stated the Confucius Institute for Scotland’s Schools received no further funding. It is reasonable to hypothecate, since there has been no reported change in the amount of CI language and culture delivery activity, that the funding balance has been made up by the Chinese Government through Hanban –since 2018-19. That would equate to around £1.5m a year at 2018-19 levels.

<sup>6</sup> Freedom of Information Request, Asked by Howard Tang, 25<sup>th</sup> July 2019. Answered by Strathclyde University 23<sup>rd</sup> August 2019  
[https://www.whatdotheyknow.com/cy/request/592504/response/1421183/attach/4/Response%202019%20188.pdf?cookie\\_passthrough=1](https://www.whatdotheyknow.com/cy/request/592504/response/1421183/attach/4/Response%202019%20188.pdf?cookie_passthrough=1)

<sup>7</sup> Ibid.

## **16. US Government Research into Confucius Institutes**

17. In 2019 the US Government published 8 months of research which looked into the reach of Confucius Institutes in their education system. With regards to funding, its report found:
18. “The Chinese government funds teachers for Confucius Classrooms in the United States, which teach Chinese language and culture in kindergarten through 12th grade schools.

### **Considerations**

19. There is limited information available on the funding allocated to Scotland’s Confucius Institutes or the Confucius Institute for Scotland’s Schools. This paper notes that in 2018-19 the Scottish Government and Hanban funded a total of £1.5m a year of teaching and cultural activity in Scottish Schools. It is reasonable to assume that these levels of funding continue, albeit without the Scottish Government contributing. The money is used to fund the staff, resources and teaching work of the CIs, including Confucius Hubs and Classrooms. The teachers who deliver mandarin teaching at Confucius Institutes and Classrooms within the Scottish schools are employed by Hanban (Appendix B is the agreement for Scotland).
20. Hanban therefore funds and deliver language support and Chinese culture within Scottish schools through Confucius Institutes. Previous EIS research has established that the teachers deployed this programme are Chinese citizens seeking to teach English within the Chinese education system and that their role in Scottish schools is similar to that of previous language assistants within “modern languages” departments. They are not GTCS registered and therefore have an appropriately limited role and they do not count against local staffing calculations

### **Recommendation**

21. The Committee is asked to note this report.

## Appendix 1

Confucius-Hub: September 2014 Council Resolution.

Further consideration of the terms of the following resolution:

### Confucius Hub

*“That this Council resolve to investigate and report on the Confucius Hub project particularly in relation to:*

- (a) The number of authorities and schools involved;*
- (b) The funding model for the project*
- (c) The funding for related staff trips*
- (d) The effect the project has had on existing modern languages provision.”*

### **Update August 2016**

Confucius Classrooms were developed as part of the International Education programme to foster Chinese language teaching and education about China in Schools.

On 24 October 2007, Learning and Teaching Scotland and Hanban (The Office of Chinese Language Council International) signed a letter of Co-operation Intent to set up Confucius Classrooms in Scotland. In 2012, the Confucius Institute for Scotland’s Schools (CISS) was established at the School of Education, University of Strathclyde. The institute provides governance and strategic leadership to the network of Scottish Confucius classrooms.

These Confucius Classrooms are local hubs, based in a Scottish school, which stimulate and support innovative teaching and learning of Chinese language and culture. They are developed in partnership with the local authorities and support of International Education in Scottish schools.

Examples of activities include:

- Teaching of Mandarin;
- Supporting the professional learning of teachers of Mandarin Chinese in primary and secondary schools;
- Organising conferences and in-service events related to the teaching of Chinese language and culture;
- Implementing Chinese language and culture courses for the local community;
- Supporting Chinese cultural activities and competitions.

Confucius Classrooms are hubs radiating out across each of the participating local authorities, based in schools and serving the local community. The hub concept promotes joint planning of cultural activities, sharing ideas and resources to stimulate the learning and teaching of Chinese language and culture.

### **Where are the Confucius Classroom Hubs?**

**There are currently 22 Secondary Hubs a list of which are shown below.**

<b>Confucius Classroom Hub</b>	<b>Based in</b>	<b>Partner School in Tianjin</b>	
1	<a href="#"><u>Perth and Kinross Council</u></a>	<a href="#"><u>Perth High School</u></a>	Tianjin High School affiliated with Beijing Normal University
	<a href="#"><u>West Lothian Council</u></a>	<a href="#"><u>James Young High School</u></a>	Tianjin No. 41 High School
	<a href="#"><u>East Dunbartonshire Council</u></a>	<a href="#"><u>St Ninian's High School</u></a>	Tianjin No. 42 High School
	<a href="#"><u>City of Glasgow</u></a>	<a href="#"><u>Hillhead High School</u></a>	Tianjin High School affiliated with Nankai University
	<a href="#"><u>North Lanarkshire Council</u></a>	<a href="#"><u>Our Lady's High School</u></a>	Tianjin High School
	<a href="#"><u>Fife Council</u></a>	<a href="#"><u>Queen Anne High School</u></a>	Tianjin No. 2 High School
	<a href="#"><u>East Renfrewshire Council</u></a>	<a href="#"><u>St Ninian's High School</u></a>	Tianjin No. 45 High School
	<a href="#"><u>City of Edinburgh</u></a>	<a href="#"><u>Leith Academy</u></a>	Tianjin No. 1 High School
	<a href="#"><u>Falkirk Council</u></a>	<a href="#"><u>Bo'ness Academy</u></a>	Tianjin Chonghua High School
	<a href="#"><u>South Lanarkshire Council</u></a>	<a href="#"><u>Hamilton Grammar School</u></a>	Tianjin No. 3 High School
	<a href="#"><u>Shetland Islands Council</u></a>	<a href="#"><u>Sandwick Junior High School</u></a>	Tianjin No. 102 High School
	<a href="#"><u>Highland Council</u></a>	<a href="#"><u>Kingussie High School</u></a>	Tianjin Wuqing Yangcun No.1 High School
	<a href="#"><u>Stirling Council</u></a>	<a href="#"><u>Stirling High School</u></a>	Tianjin No. 54 High School
	<a href="#"><u>Midlothian Council</u></a>	<a href="#"><u>Lasswade High School</u></a>	Tianjin No. 25 High School
	<a href="#"><u>City of Glasgow</u></a>	<a href="#"><u>Jordanhill School</u></a>	Tianjin Weishanlu High School

	<a href="#">South Ayrshire Council</a>	<a href="#">Queen Margaret Academy</a>	Tianjin No. 20 High School
	<a href="#">North Ayrshire Council</a>	<a href="#">Greenwood Academy</a>	Tianjin No. 2 Nankai High School
	<a href="#">East Ayrshire Council</a>	<a href="#">Grange Academy</a>	Tianjin Xinhua High School
	<a href="#">The Moray Council</a>	<a href="#">Elgin Academy</a>	Tianjin Hangu No. 1 High School
	<a href="#">Angus Council</a>	<a href="#">Carnoustie High School</a>	Tianjin Tanggu No. 1 High School
	<a href="#">Aberdeenshire Council</a>	<a href="#">Ellon Academy</a>	Tianjin Dagang No. 1 High School
	<a href="#">Aberdeen City Council</a>	<a href="#">Hazlehead Academy</a>	Tianjin Haihe High School

### Operational Plan

Local authorities with hubs currently in Secondary schools are awarded a budget of £10,000 per annum by the Scottish Government and Hanban. While the budget allocation is at the discretion of the local authority, restrictions apply; eg. flights.

A primary hub will be established in each of the existing local authorities, with the exception of the Jordanhill School (grant funded). An allocation of \$10,000 US Dollars will be provided by Hanban.

It is anticipated that the primary hubs will assist with demand in 1+2 as an addition to the language provision. There is no expectation that it will replace current provisions.

### Emersion Visits

In 2016 a delegation of teaching staff and pupils of 130 travelled to China, part funded by Hanban and CISS. This is an annual opportunity offered to all participating local authorities

Scholarship Year, funding for tuition, accommodation, food and subsistence is available for young people who have just completed 6<sup>th</sup> year. 23 young people have applied successfully for this year's scholarship and will start their year of study in Tianjin in September 2016.

Provision for a Headteacher visit every 2 years funded by CISS and Hanban

### General

Local authorities choosing Mandarin as part of the 1+2 strategy but is always used as an addition language to the current provisions applicable with the area.

47 Chinese exchange teachers will be working in Scottish schools during session 2016/17. Their [professional](#) learning is fully supported by CISs and the partner LAs. These teachers are not allowed to present SQA qualifications and do not replace any local Scottish teachers.

There are currently around 22 GTC Scotland registered teachers of Mandarin teaching across Scotland.

Approximately 100 pupils took Higher Mandarin exam.

Confucius Institute for Scotland's Schools (CISS) have asked the participating local authorities to carry out a review this year of the impact of the CCs. CISS have developed a self-evaluation tool that links very much to HGIOS 4 to help them gather evidence to make the process easier for them. By June 2017 research should be available for publication.



**AGREEMENT BETWEEN**  
**CONFUCIUS INSTITUTE HEADQUARTERS OF CHINA**  
**AND**  
**SCOTLAND'S NATIONAL CENTRE FOR LANGUAGES (SCILT)**  
**AT THE UNIVERSITY OF STRATHCLYDE**  
**ON THE ESTABLISHMENT OF**  
**THE CONFUCIUS INSTITUTE FOR SCOTLAND'S SCHOOLS**

In order to strengthen educational cooperation between China and Scotland, support and promote the development of Chinese language education, and increase mutual understanding among people in China and in Scotland, according to the *Constitution and By-laws of Confucius Institutes*, the Confucius Institute Headquarters of China (“the Headquarters”) and Scotland’s National Centre for Languages (SCILT) at the University of Strathclyde, for the establishment of the Confucius Institute for Scotland’s Schools, hereby agree as follows:

Article 1 Purpose

The purpose of this agreement is to identify the rights and responsibilities of the Headquarters and Scotland’s National Centre for Languages (SCILT) at the University of Strathclyde, in the establishment and

management of the Institute.

## Article 2 Character

The Institute shall be a non-profit educational institution.

## Article 3 Executive Institution

Scotland's National Centre for Languages (SCILT) at the University of Strathclyde is desirous of collaborating with the Tianjin Education Commission. The Headquarters will authorize and appoint the Tianjin Education Commission to collaborate with the Confucius Institute with the Scotland's National Centre for Languages (SCILT) at the University of Strathclyde as the Chinese executive institution. The two parties of cooperation will sign the supplementary agreement on detailed matters of the cooperation. The supplementary agreement should be audited by the Headquarters before signing.

The Institute must be launched within one year after this agreement is signed.

## Article 4 Scope of Activities

According to the Constitution and By-laws, The Institute can offer the following activities, depending on local circumstances:

1. Teaching Chinese language and providing Chinese language teaching resources;
2. Providing professional development opportunities for Chinese language instructors;
3. Promoting the HSK examination (Chinese Proficiency Test) and tests

for the Certification of the Chinese Language Teachers;

4. Providing information and consultative services concerning China's education, culture, and so forth;
5. Organizing language and cultural exchange activities as well as conferences and promotional events;
6. Other activities with authorization and by appointment of the Headquarters.

#### Article 5 Organization

1. The Institute at Confucius Institute for Scotland's Schools shall adopt a Director Responsibility System under the leadership of the Board of Directors.
2. The Board of Directors is formed with members nominated by the signatories to this agreement, and its duties include: formulating and amending the Constitution of the Institute; formulating development plans for the Institute; decision-making on the significant issues including the learning and teaching of Chinese in Scottish schools; management; funding; appointing and dismissing the Director of the Institute; examining and approving the budget proposal and final financial accounts of the Institute; reporting to the two parties on the management status and significant issues.
3. Two collaborating parties appoint one director respectively.
4. The institute must accept the assessment of the Headquarters on the teaching quality.
5. The Institute activities must be in accordance with the Constitution and By-laws, and also respect cultural custom, shall not contravene

concerning the laws and regulations, both in Scotland and China

6. The Institute draws up annual budget proposals and final financial accounts independently. The Confucius Institute for Scotland's Schools will be in charge of its daily operation and management. It should finally assume the sole responsibility for its profits or losses.

#### Article 6      Obligations

The obligations of the Headquarters:

1. To authorize the use of the title "Confucius Institute", logos and institute emblems.
2. To provide teaching materials, coursewares and other books according to the necessary, to authorize the use of online courses. To provide 3,000 volumes of Chinese books, teaching materials, and audio-visual materials for the first time.
3. To provide a set amount of annual fund according to agreed project proposals.
4. To send numbers of Chinese instructors based on the requirements of teaching, and pay for their air fares and salaries.

The obligations of SCILT, Scotland's National Centre for Languages, at the University of Strathclyde:

1. To provide a fixed office place and appropriate sites for teaching and other activities of the Confucius Institute; equipped with office and teaching facilities, and with responsibility for the setting, management and maintenance.
2. To provide necessary administrative personnel (full time or part-time)

and provide the related payment; to provide necessary working facilities and life conveniences for the Chinese instructors.

3. To assist the Chinese party on the visa application and residence procedures.

4. To open the special account for the Confucius Institute in the local Bank of China or other bank approved by the Headquarters.

5. To provide a set amount of annual funds or resources in kind, which should not be less than the amount provided by the Headquarters.

#### Article 7 Intellectual Property

The Headquarters exclusively owns the title of “The Confucius Institute”, its related logo, and emblem as its exclusive intellectual property. Scotland’s National Centre for Languages (SCILT) at the University of Strathclyde cannot continue applying or transfer the title, logo, and emblem in any form, either directly or indirectly, after this agreement has been terminated.

The provider owns the intellectual property of any program. The two parties can consult the owner of such programs. In the event of any dispute, the two parties should consult with each other or submit to the appropriate jurisdictional body according to the local laws and regulations.

#### Article 8 Revision

With the consent of both parties, this Agreement may be revised during its implementation and any revisions will be made in writing, both in English and Chinese, and will take effect as signed by authorized

representatives of the signatory parties.

#### Article 9 Term

The Agreement shall be in effect on the date when the parties sign below. The Agreement shall have a period of 5-year validity. Either party, if it wishes to terminate the Agreement must notify the other in writing during the 90 days before the end of the Agreement; otherwise it will automatically be extended for another 5 years.

#### Article 10 Force Majeure

Parties hereto will be released from their obligations under this agreement in the event of a national emergency, war, prohibitive government regulation or any other cause beyond the control of the parties hereto that renders the performance of this agreement impossible. In the event of such circumstance, the party under the situation shall inform the other party in writing that the program may be delayed or terminated, and duly take the effective measures to mitigate the loss of the other party.

#### Article 11 Termination

This Agreement shall be terminated in one of the following cases:

1. Either party intends to terminate this Agreement upon giving a written notice at least six months in advance of their intention to terminate.
2. The parties have no aspiration of cooperation at the expiration of the term.
3. The Agreement cannot go through or cannot achieve the anticipated aims.

4. If the act of one party of the Agreement severely harms the image and reputation of the other.

5. The Agreement cannot go through because of force majeure or cannot realize its stated aims.

The termination of the Agreement shall not affect other agreements, contracts and programs between the parties.

Before the Agreement is terminated, The Confucius Institute for Scotland's Schools should make appropriate arrangements for the enrolled students and other stakeholders.

#### Article 12      Dispute Settlement

In the event of any dispute, the two parties should consult each other or submit to the jurisdictional body which has competence in respect of this Agreement.

#### Article 13      Agreement Language

This Agreement is written in Chinese and in English. Each party shall keep one copy in Chinese and one copy in English of the signed Agreement. The Agreement, in both languages, shall have the same effectiveness.

#### Article 14      Other Terms

The parties to this Agreement will treat this Agreement as confidential and will not, without prior written consent, publish, release or disclose or permit it to be supplied to, obtained by, others or which comes to the knowledge of each parties as a result of this agreement except insofar as

such publication, release or disclosure is necessary to enable each party to fulfill their obligations under this Agreement.

Other matters not settled by this Agreement shall be solved through friendly, cooperative negotiations between the two parties.

Confucius Institute  
Headquarters (HANBAN)  
Chief Executive

The University of Strathclyde  
Principal



XU Lin

Date: 2012.6.6



Jim McDonald

Date: 6/6/12

Scotland's National Centre for Languages (SCILT)

Director



Sarah Breslin

Date: 06.06.12



## 中国孔子学院总部与苏格兰国家语言中心 (隶属于斯特莱斯克莱德大学) 关于合作设立苏格兰中小学孔子学院的协议

为进一步加强中国与苏格兰在教育领域的合作,支持并促进汉语教学的发展,增进两国人民的相互理解和友谊,根据《孔子学院章程》,中国孔子学院总部(以下简称总部)与苏格兰国家语言中心(隶属于斯特莱斯克莱德大学),(以下简称苏格兰国家语言中心),就合作设立苏格兰中小学孔子学院(以下简称学院)达成如下协议:

### 第一条 宗旨

本协议的宗旨在于规定在合作设立和经营管理学院过程中总部和苏格兰国家语言中心的权利和义务。

### 第二条 学院的性质

学院系非营利性教育机构。

### 第三条 执行机构

苏格兰国家语言中心表示愿意与天津市教育委员会进行合

作。总部将授权并委托天津市教育委员会作为中方具体执行机构，与苏格兰国家语言中心合作建设学院。合作双方将就具体合作事宜另行签订补充协议。补充协议签署前须报总部审核。

学院须在本协议签署后的一年内启动运营。

#### 第四条 业务范围

根据总部章程并结合当地实际情况，学院可开展以下活动：

- 1、开展汉语教学，提供汉语教学资源。
- 2、培训汉语教师。
- 3、举办汉语考试和汉语教师资格认证考试。
- 4、提供中国教育、文化等信息咨询。
- 5、开展语言文化交流活动。
- 6、其他经总部授权或委托开展的活动。

#### 第五条 组织、经营和管理

1、学院实行理事会领导下的院长负责制。

2、理事会由签字双方推荐人选组成，其职责是：制定和修改学院章程；制定学院发展规划；决定教学、研究及经营方面的重大事项；负责筹集办学经费；任免学院院长；审批学院的预算和决算；向合作双方报告学院经营状况和重大事项等。

3、合作双方各派一名院长。

4、学院须接受总部的办学质量评估。

5、学院开展活动须符合《孔子学院章程》，并应尊重中国和苏格兰的文化习俗，不违背中国和苏格兰法律法规。

6、学院单独编制年度预算和决算，日常经营管理由苏格兰中小学孔子学院负责，最终通过教学和实施其他项目的收入实现

自负盈亏。

## 第六条 双方义务

总部义务:

- 1、授权使用孔子学院名称和标识。
- 2、根据需要提供各种教材、课件和图书，授权使用网络孔子学院课程。首批提供 3000 册中文图书、教材和音像资料。
- 3、根据需要每年提供一定数额的项目经费。
- 4、根据办学需要选派教师若干名，并负担其国际旅费、工资等。

苏格兰国家语言中心(隶属于斯特莱斯克莱德大学)义务:

- 1、为学院提供固定的办公场地和适合的教学及其他活动场所，配备必要的办公、教学设备并负责其安装、管理和维护。
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2、协议期限届满，双方无继续合作的意愿。

3、履行该协议的条件已丧失，协议无法履行或继续履行无法达到预期目的。

4、协议一方有严重损害另一方的声誉与形象的行为。

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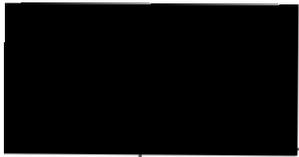
本协议一式两份，分别以中、英文书就。双方各持中、英文本各一份，两种文本具有同等效力。

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孔子学院总部  
总干事



许琳

日期: 2012.6.6

斯特莱斯克莱德大学  
校长



Jim McDonald

日期: 6/6/12

苏格兰国家语言中心  
主任



Sarah Breslin

日期: 06.06.12

The OECD published its review of CfE 'Scotland's Curriculum for Excellence Into the Future' on June 21<sup>st</sup> 2021. This paper comprises extracts reflecting the main findings of the Review and provides some initial commentary from an EIS perspective.

\*Bold *italicised* text is used by the OECD to denote a heading, otherwise **bold text** is used to highlight key points of interest within the extracts for the EIS. Boxed text is EIS commentary.

### The OECD's Main Findings

*Scotland's Curriculum for Excellence continues to be a bold and widely supported initiative, and its design offers the flexibility needed to improve student learning further*

**CfE's vision to achieve excellence for all students is widely shared by stakeholders and continues to be an inspiring example equated with good curriculum practice internationally.** The two decades since the formulation of CfE's vision have been marked by accelerated changes, including in educational research, giving rise to new insights into student learning, pedagogy, and the kind of knowledge, skills and attitudes students need to progress as learners. **CfE has stood the test of time, but it will only remain relevant if Scotland uses these insights to continue its development.**

The OECD report provides a general endorsement of CfE as a strong curricular framework, much respected internationally. This counters some of the anti—CfE narratives being promulgated by those who would favour prescription of narrow, traditionalist curricular content.

CfE's complex framework works well in BGE and for learners taking Advanced Highers, where the concepts, pedagogical and learning approaches are coherent, and the implemented school curricula seem consistent with policy intentions. **However, there is some ambiguity about the role of knowledge and ways of knowing in a 21st century curriculum framework. Adjustments might therefore be needed in the concepts of CfE and the tools to put them in practice in both BGE and the Senior Phase. The structure, learning practices and assessment approaches in the Senior Phase also need adapting to be consistent with CfE's vision, and to allow for the smooth curriculum experience promised from 3 to 18.**

This aligns entirely with what the EIS has said for some time regarding the disconnect between the BGE and the Senior Phase, in large part as a result of the approach to presentation of learners for SQA qualifications on an annual basis, at the expense of time and space for breadth and depth of learning.

Teachers are well-trained and respected professionals in Scotland, and school leaders have developed strong pedagogical leadership capacities. Both are committed to varied teaching approaches for student learning and have proven their ability to develop schools' own curricula. **Curriculum design and continuous improvement require time and professional investment, which schools can only achieve with ongoing support from the system.**

This is an endorsement of the knowledge and skills of the teaching profession in Scotland in relation to curriculum and pedagogy. The EIS has consistently articulated the need for trust in teachers as highly trained professionals, and has advocated strongly in the context of discussions on education governance for the key emphasis within the role of Headteacher to be one of pedagogical leadership. As does the EIS, the OECD identifies the need for more support to schools, in a later chapter, pointing to the tensions between aspirations for further development of capacity to deliver high quality curriculum and the demands that this would make on the working time of teachers and school leaders. This is useful material for the 20:20 campaign.

***Stakeholder engagement is at the heart of Curriculum for Excellence and offers the possibility, with better structure, for shared ownership and effective leadership of CfE***

Significant efforts were made to engage stakeholders throughout CfE's lifecycle, which contributed to wide support for CfE as a direction of travel for Scottish education. **However, there is a gap between stakeholders' involvement and their impact on effective enhancements to CfE implementation.**

Stakeholders agree that schools and the profession should hold responsibility for the conception, implementation and outcomes of their own curricula, provided the rest of the system fulfil their own responsibilities to support schools and the profession within a clear policy framework. At the same time, CfE ownership was most often described as fragmented, with many lacking clarity on their responsibilities.

Scotland successfully developed an education language to support the philosophy of CfE that made its way into daily discussions of education policy makers, teachers and learners alike, thanks to communication efforts by system leaders. **But the constant production and recycling of documentation was often described as "overwhelming", and the terminology used too technical and open to interpretation.**

The EIS has observed (and communicated to government) that consultations have often been tick-box and tokenistic with significant shortcomings thereafter in terms of implementation of the views of the profession.

The overly bureaucratic approach that the OECD references is familiar in terms of CfE Es and Os and the later Benchmarks which, for Primary staff in particular, have been heavily burdensome.

***Continued efforts are needed to enhance the coherence of the policy environment with Curriculum for Excellence***

CfE's originality continues to influence international curriculum policy. Scotland made great progress in developing and supporting teachers' capacity to be curriculum makers, and the capacity of school leaders to lead the curriculum process in their schools. **This work has become challenging for schools considering the multiple new policy initiatives; and Scotland's comparatively high rate of teachers' class contact time and its expectations for teachers to lead and plan curriculum locally.**

The EIS has long called for decluttering of the BGE curriculum and for alleviations in teacher workload generally. The findings of the OECD with regards to teacher contact time give further weight to the EIS 20:20 campaign.

Other education policies were developed to build a coherent system around CfE's innovative philosophy. **However, work remains on striking a balance between autonomy with CfE and equity for students and aligning and simplifying the many initiatives.** Early policy developments showed promise to align student assessment, qualification practices and system evaluation to CfE's philosophy. **The 2010 Framework for Assessment was hailed internationally as an exemplar. Despite attempts to reform qualifications, misalignment between CfE's aspirations and the qualification system became a barrier to CfE's implementation in secondary education. Additionally, the data generated by current system monitoring seem limited to fully support CfE's ambitions.**

The report articulates the tensions inherent in seeking to balance school-based autonomy with the aspiration of equity for all of Scotland's pupils- tensions observed by EIS members in relation to spending of Pupil Equity Funding and ASN provision, for example, and in approaches to senior phase subject choice and curriculum design.

Senior phase qualifications are again cited as a barrier to the realisation of CfE aims. The OECD highlights a misalignment with the aspirations of CfE as articulated within the 4 capacities with the largely attainment-focused data being gathered for the purposes of system monitoring- SNSAs which capture small amounts of data relevant to Literacy and Numeracy, CfE levels data with the same narrow focus (using levels which were never intended to be assessment benchmarks) and SQA results.

Education is a source of pride in Scotland, which shows in the broad commitment to CfE and educational excellence for all. It has been granted great importance in the political debate to a degree that would be the envy of many a system. **This**

**importance has sometimes translated into a busy system at risk of policy and institutional overload. The centrality of education in the political debate, allied with the absence of an identified cycle of policy review, has resulted in a reactive and oftentimes political approach, which is not the most efficient way to address issues with CfE.**

The EIS has raised repeatedly that the political interest in Education has tended to generate more heat than light within the associated debate and that government action (or inaction) is often driven by political calculation rather than sound educational principle, this impacting, among other things, on the number and nature of the priorities that schools and teachers are expected to address.

***The approach to the ongoing implementation of Curriculum for Excellence has lacked structure and long-term perspective***

The Curriculum and Assessment Board and predecessors provided the opportunity to engage stakeholders, get feedback and develop agreements on CfE's developments. Schools and local authorities were afforded significant autonomy to shape CfE, possibly building capacity on the ground. **Yet, CfE has lacked a structured approach to plan its developments with a longer-term perspective.**

The preoccupation with and the rush to introduce the new qualifications, and the subsequent surrounding protracted issues, have perhaps contributed to the lack of a strategic focus on the curriculum as a whole.

**The OECD on Senior Phase Assessment...**

**'While this OECD report does not tackle in-depth the development of student assessment, a separate working paper will outline Scotland's challenges and options to enhance student assessment and qualifications.** The working paper aims to inform deliberations on how to move forward with assessment and qualifications in the Senior Phase in the future, based on a comparative perspective of student assessments. **A summary of its initial findings is provided here to inform this recommendation (Stobart, forthcoming[9]):**

**There may be alternatives for recognising the range of achievement at the end of compulsory education to the current approach of examination certificates for subjects passed.** A school profile is already in use, prepared by the school at the end of Senior 3, which could be continued into S4 and developed, for instance, into a school graduation certificate at 16. For the

majority of students who stay on into post-compulsory education, the Higher, Advanced Higher and other qualifications' results would be used in selection and progression processes.'

This aligns with the long-held EIS view on the importance of recognising all students' wider achievement and there being parity of esteem across so-called 'vocational' and 'academic' courses of study.

We also see the recognition of wider achievement as being particularly important for the many young people with additional support needs whose achievements are not currently captured within any outcomes measurement framework nationally. ASLIG (of which the EIS is a member) is currently working to design such a framework as an outcome of the Morgan Review.

Arguably, given that the vast majority of students stay on at school beyond S4 (circa 91%) this proposed approach to diversifying the definition of achievement should extend throughout the senior phase.

'The demands of the examination system attract criticism from students and educationalists. **There is debate about whether the assessments at S4, S5 and S6 should be seen as a step-by-step "ladder" of qualifications up which students progress, or whether students should simply take a single "exit" examination at the appropriate level** (for example, National 4 for school leavers; Highers for Higher Education; Advanced Highers for university entrance both inside and outside Scotland).'

The EIS has argued that annual presentation of students for qualifications through each stage on the qualifications 'ladder' for each subject militates against realization of the ambitions of CfE in terms of achieving greater breadth and depth in learning.

Such an approach also leads to assessment overload which evidence would suggest is contributing to some of the mental health challenges being experienced by young people in the senior phase- girls in particular.

Annual presentation of students for qualifications and the associated SQA-related workload demands also contribute to the workload burden of teachers.

'A broader approach to external student assessment would allow SQA to explore a wider range of assessment options, including more use of information technology to provide online examination resources and more interactive approaches; opportunities for candidates to use computers to respond; incorporation of ePortfolio and personal projects for external marking; more use

of oral presentations and practicals as a way to broaden the assessment formats. Approaches allowing for fuller alignment with 21st century curricula, as in CfE, include:

- **a more central role for continuous teacher assessment during the course, based on classwork and school-based tests**
- **teacher set and marked work that is externally moderated by other teachers**
- **externally marked projects and extended essays**
- **oral and practical presentations.**

As evidenced during the COVID-19 pandemic, these approaches also offer greater resilience where there is a major disruption. **Adoption may require Scotland to further decentralise some of its assessment procedures while further developing teachers' assessment literacy in order to expand the professional capacity of schools in assessment.'**

Whilst the prompt to consider broadening the range of assessment opportunities, an enhanced role for continuous assessment, teacher professional judgement and moderation, and the retention of some external marking, is welcome, the encouragement of the use of more digital based assessment would need careful consideration, particularly regarding equity in relation to digital access and digital literacy.

Potential (further) decentralisation of assessment procedures has significant implications for the role and remit of whichever body will replace the SQA. Whichever body that is, if such a recommendation is adopted, will require to be one which is rooted in an unshakeable commitment to support rather than dictate to and antagonize, the teaching profession.

### **The OECD on ACEL Data Collection...**

A number of initiatives have been put in place to support the ongoing monitoring of student achievement since the introduction of CfE. **Reporting on the levels has its limitations, given that they were designed to support teacher planning and judgement and not to measure national progress. Small changes in data of this kind cannot give the system the intelligence it needs to monitor the achievement of particular groups of students within the cohort.**

The EIS has questioned the validity of this approach over the years- highly bureaucratic and, as the OECD has confirmed, of limited value. As previously referenced in the EIS commentary within this paper, CfE levels were never intended to have been attainment levels- rather a set of signposts to aid planning of the learner journey.

### OECD on SNSAs...

**Similarly, while the census-based assessments (SNSA) are underway, the purpose and usefulness of these are already being questioned. Designed to provide data to support teacher judgement and information for system monitoring, it is questionable whether census-based assessments of this kind can serve both purposes well.** The Framework for Assessment is ambitious on the kinds of monitoring needed to support CfE over time. Three priorities are identified for the range of information needed: information to support an account of success at local and national levels; information that describes progress and achievement against standards and expectations; and a particular focus on supporting points of transition in the system.

Tied to the ACEL data collection, SNSAs are also called into question in terms of their purpose and utility by the OECD. The EIS has repeatedly raised concerns about the value of SNSAs and could now use the findings of the OECD to pose fresh questions about their future.

### The OECD on sampling (such as SSLN)...

The OECD team believes that there is now an urgent need for robust, reliable data to support these priorities and support wider policy and decision making, as well as the curriculum review cycle discussed below. **Previous attempts at this kind of sample monitoring were not successful for a range of reasons: the tests that the SQA administered provided data only at the national level; they were administratively complex and expensive; and time-consuming for schools to administer.** The experiences of other systems in recent years in building these sample-based systems that make very little demands on teachers and schools but provide extremely useful information can inform the deliberations in Scotland. These long-term monitoring arrangements allow for particular focus on under-achieving groups within the population and give rise to a dataset that can be made available to independent researchers for additional data mining and research. The arrangements in Ireland are noteworthy for their longevity and how the data continue to be used by a wide range of agencies, notably, by the National Council for Curriculum and Assessment in its review processes (see Box 5.1).

The EIS argued that systems monitoring data should be collected on a sampling basis and would be keen to explore how lighter-touch sampling models might be utilised in Scotland in the future.

## **Recommendations for next steps: Focus on student learning progress**

### ***1. Balance Curriculum for Excellence so students can fully benefit from a coherent learning experience from 3 to 18 years***

- **Re-assess CfE's aspirational vision against emerging trends in education** to take account of evolutions in education and society: Scotland should **consider updates to some of its vision's core elements and their implications for practice, in particular, the role of knowledge in CfE; and define indicators aligned to the vision to help understand students' progress across all four capacities set out in CfE.**
- **Find a better balance between breadth and depth of learning throughout CfE** to deliver Scotland's commitment to providing all learners with a rich learning experience throughout school education: Scotland could **consider how the design of CfE can better help learners consolidate a common base of knowledge, skills and attitudes by the end of BGE, and nurture and hone this base for them to progress seamlessly through Senior Phase** and the choices its offers.
- **Adapt the Senior Phase to match the vision of CfE:** Scotland could **consider adapting the pedagogical and assessment practices and the structure of learning pathways in the Senior Phase** to enhance learners' experience of upper-secondary education and help them develop CfE's four capacities continuously.
- **Continue building curricular capacity at various levels of the system using research** by developing the environment of curriculum design support around schools, including in **supporting exchange and collaboration** between practitioners for curriculum design and experimentation within and across schools; and collaboration between schools and universities.

### ***2. Combine effective collaboration with clear roles and responsibilities***

- **Ensure stable, purposeful and impactful stakeholder involvement with CfE:** System leaders at national and local levels could continue encouraging the involvement of stakeholders (and in particular, students) with CfE by better structuring each engagement initiative they offer, clarifying its purpose, designing it accordingly, and letting stakeholder input inform decision making.

- **Revise the division of responsibilities for CfE: System leaders and stakeholders could revise** the current allocation of responsibility for CfE, including responsibilities for its strategic direction, its reviews and updates, and **the response to schools' needs of support with curriculum issues.** The revised allocation should be stable over time to fulfil Scotland's commitment to shared ownership of CfE.
- **Structure a coherent communication strategy to support developments of CfE:** System leaders, with the Learning Directorate and Education Scotland at the forefront, could develop a communication strategy in support of CfE's next developments and collaborate with practitioners, scholars and other CfE stakeholders as they do so.

### ***3. Consolidate institutional policy processes for effective change***

- **Provide dedicated time to lead, plan and support CfE at the school level: In support of the next phase of development of CfE, Scotland could consider the provision of additional dedicated and ring-fenced time for all teachers, for curriculum planning, for monitoring of student achievement and in support of moderation of assessment outcomes.**
- **Simplify policies and institutions for clarity and coherence:** To align the institutional structures with clear ownership of CfE, Scotland **could explore assigning leadership and development responsibilities for curriculum (and perhaps assessment) to a specialist stand-alone agency; and consider refreshing the remit of an inspectorate of education regarding CfE.**

Adoption of the somewhat tentative recommendation to combine responsibility for curriculum and assessment within one body carries both opportunity and risk. The balance would depend on the weight attached to each and the extent to which curriculum (and learning and teaching) are given primacy such that assessment approaches are designed to align with them rather than the other way around. The Education Committee will have a significant role in shaping the EIS contribution to relevant discussions around the creation of the new body and how the balance of its responsibilities, and the relationship between curriculum and assessment in practice, will be struck.

On the role of the inspectorate, at the very least, the EIS could push for removal of the inspection scores (the new Cabinet Secretary recently commented that she had no plans to do so whereas it was being considered

by the previous minister) and for a rebalancing of the relationship between schools and the teaching profession on the one hand, and the inspectorate on the other, in the context of an empowered system. The EIS may wish to push further for an end to inspections and a shift towards greater professional trust in teachers, coupled with greater support to enable them to collaborate with colleagues and deliver good quality educational experiences and outcomes as per the Finnish model. Again, the Education Committee view will be important here.

- **Align curriculum, qualifications and system evaluation to deliver on the commitment of *Building the Curriculum 5*: Scotland could first identify modes of student assessment that could be used in school and external settings at Senior Phase levels, in alignment with the four capacities and CfE philosophy; and second, re-develop a sample-based evaluation system to collect robust and reliable data necessary to support curriculum reviews and decision making.**
- **Develop a systematic approach to curriculum review:** Scotland could consider establishing a systematic curriculum review cycle with a planned timeframe and specific review agenda, **led by the specialist stand-alone agency.**

#### ***4. Lead the next steps for Curriculum for Excellence with a long-term view***

- **Adopt a structured and long-term approach to implementation:** Building on the system's existing strengths, Scotland should consider how to take on board the recommendations in this report as a coherent package rather than individual policy actions for the next steps.

## **EIS Advice on the Resumption of Education Scotland Scrutiny Activity, September 2021**

Education Scotland recently announced its intention to resume its scrutiny activity, which was paused in March 2020 to take account of the disruption of the pandemic.

As reflected in the [press release](#) issued on Friday 17<sup>th</sup> September, the EIS considers this move to be wholly inappropriate in the context of continuing Covid disruption and the current unprecedented levels of teacher and pupil absence. Until December, HMIE intends to engage with schools awaiting follow-up visits, before moving into fresh inspections in the post-Christmas period.

As this scrutiny activity resumes, so too will EIS monitoring of Education Scotland's approach to inspection when visiting schools and nurseries. We would request that Reps complete the [EIS Inspection Monitoring Form](#) and return to the Education and Equality Department ([cstarko@eis.org.uk](mailto:cstarko@eis.org.uk)) as soon as possible after an inspection has concluded.

**The following advice should be read in conjunction with existing EIS advice for [Primary/ Nursery](#), [Secondary](#) and [Special Schools](#).**

### **Focus of HMIE Inspection Activity**

Education Scotland has stated its intention to

*'change their approach to take account of the impact that Covid-19 has had'*  
and

*'...continue to support the Scottish education system to recover from the impact of the pandemic. In devising the scrutiny programme for this academic year HMIE are taking account of the ongoing pressures resulting from the pandemic...'*

The EIS would expect, therefore, that Education Scotland inspectors demonstrate due sensitivity to the many challenges that schools and nurseries, involving staff at all levels and in all roles, have faced in:

- maintaining Covid security in the interests of the health and safety of all in the school community
- responding to the wellbeing needs of young people and staff
- responding to trauma
- supporting families in a variety of ways
- adjusting pedagogy to take account of safety measures
- adapting to remote learning provision
- ensuring effective continuity of education provision amidst often high levels and recurrence of pupil and staff Covid-related illness and absence
- seeking to prioritise Recovery as directed by Education Scotland and Scottish Government's own [guidance](#)
- supporting young people through National Qualifications in the most challenging of circumstances, in the case of Secondary and some ASN schools

- generally and sustainedly responding to the Covid crisis with often inadequate additional resources having been made available.

With this in mind, members are asked to report to Reps the extent to which they find:

- inspectors to have taken account of the context outlined above throughout the course of the scrutiny activity within the school/ nursery;
- the inspection process to have been helpful in supporting the recovery process within the school/ nursery.

Reps are asked to include such reflections within the EIS Inspection Monitoring Form.

### **Collegiate Discussion**

Education Scotland has stated that it plans to have:

*'discussions with leaders and practitioners as to the impact of the pandemic and the actions the school has taken and continues to take to support recovery and HMIE will discuss with staff the progress around the areas for development identified from earlier scrutiny activity. Following the visit, HMIE will publish a report.'*

The EIS expects such discussion to be conducted in the spirit of the Empowerment agenda- collegiately and in a way that respects the professionalism of teachers.

Whilst it is understood that not all school communities have been affected by Covid disruption in the same ways or to the same degree, no school or nursery has been unaffected. All have faced challenges, many of which have been exacerbated by inadequate staffing resource, as evident both during the periods of remote learning and at points while schools have been open when Covid-related absence among teachers has been high.

Yet the response of schools in the face of such adversity has been testament to the strength and depth of the professional commitment that teachers have to the young people that they teach and to their families.

In such a context, the EIS advises members, including Headteacher and Depute Headteacher members, to be honest and frank in conversations with inspectors about the impact of the pandemic and associated disruption on learners, themselves and colleagues, and on families within the school community, and about the strength of the school's response.

The extent to which schools and nurseries will have been able to progress with improvement priorities as directed by previous inspection activity will, understandably in the midst of a global pandemic, be dependent on the intensity of the Covid impact experienced by the school community.

Schools, teachers and school leaders should not be reticent to highlight the strength of the efforts made and the size of the challenges faced in maintaining education provision during all stages of the Covid-19 crisis so far.

It is against such a backdrop that some improvement priorities may have had to be stood down or set to one side for the time being. This, in most cases, is likely to have been entirely in keeping with Education Scotland and Scottish Government [advice](#) issued in June 2020, that recovery should be the priority.

## **Scheduling of Inspection Activity**

### **Phase 1**

Education Scotland has indicated its intention to resume its scrutiny activity before the end of 2021, firstly re-engaging with establishments that had been due to have a follow-up inspection around the time that scrutiny activity was paused, with:

*'timing arrangements planned in advance with local authorities and establishment.'*

The EIS advises that School Reps should be fully involved in discussions at establishment level, about the timing of any proposed inspection activity, with full account being taken of Working Time Arrangements for any week in which inspection activity might occur. This should also apply with regards to the preparation of any preliminary paperwork requested by inspectors, by Headteachers or other colleagues. All activity relating to inspections must be capable of being overtaken by all teachers, including Headteachers and Depute Headteachers, within the parameters of the 35-hour working week.

Where pre or main inspection activity cannot be accommodated within the Working Time Arrangements in a particular week that Education Scotland has indicated a potential visit, because of other scheduled activity due to take place in that week, either the other scheduled activity should be postponed/cancelled; or, if this is not possible, an alternative week is identified during which an inspection visit and/or any associated preparation can be accommodated.

### **Opting out**

The EIS has argued at national level that where a school/nursery due to be revisited by Education Scotland pre-Christmas is experiencing/ has experienced recent significant Covid-related disruption and/or other significant adverse circumstances, it should be possible to opt out of the process. This is an approach that could be pursued locally, the school working with the local authority to achieve such an outcome.

### **Phase 2**

Education Scotland has also indicated that from January 2022, HMIE will undertake a programme of individual early learning and childcare (ELC) settings and school inspections, continuing to take account of Covid-19 recovery and the context in which establishments and settings have been working.

### **'Mini-inspections'**

This announcement should not prompt any activity not already included within the Working Time Agreement, either directed by the school or the local authority, that is aimed at preparing for inspections 'just in case' a school or nursery is selected. If this does occur, the matter should be raised immediately by the School Rep with the management of the school, and the Local Association Secretary if necessary, thereafter.

### **The WTA and post-January Inspection**

In the event that notice of an inspection is given at a point in time from January onwards, the Working Time Arrangement advice provided earlier in this guidance also applies, as does the main EIS advice.

### **Opting out**

As for pre-Christmas scrutiny visits and in light of the possibility of a winter spike in infections, schools/nurseries which are experiencing significant Covid-related disruption and/or other significant adverse circumstances, should seek to opt out of the process.

### **Phase 3**

HMIE also plans to carry out three national thematic inspections in the coming months which it says is to support education recovery. The themes are supporting children's and young people's wellbeing; local approaches to recovery; and outdoor learning.

Local Associations and School Reps are encouraged to be involved in any relevant discussions taking place at local authority or school level regarding support for young people's wellbeing, and local approaches to recovery, with particular emphasis on the associated resourcing needs as laid out in the [EIS Manifesto for an Education Recovery](#).

## **Health and Safety Considerations**

### **Covid Security**

The EIS would expect that any planned Education Scotland visit to a school/nursery will be subject to a risk assessment.

In the event that the outcomes of a risk assessment can facilitate a visit to an establishment, inspectors must adhere to the mitigations which are currently in place for all schools/nurseries and any additional mitigations required by the risk assessment. This could mean, for example, that it might not be possible for inspectors to visit certain classrooms where space and ventilation issues would prevent it.

Members should advise the Headteacher and/or the School Rep of any non-adherence to Covid protocols by Education Scotland staff visiting an establishment.

In the event that a risk assessment would conclude intolerable risk associated with an HMIE visit, this should be raised with the local authority and Education Scotland immediately.

### **Mental health and Wellbeing**

The EIS would also expect that Education Scotland staff in visiting any establishment would contribute to efforts towards supporting the mental health and wellbeing of staff, which is a stated priority within all Scottish Government and Education Scotland recovery guidance. Where any member finds this not to be the case, the matter should be raised with the Headteacher and/ or the School Rep.

In discussing the details of plans around inspectors' interactions with staff with the Managing Inspector, Headteachers are advised to consider the wellbeing needs of staff as well as their own in determining final arrangements.

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## **EIS Submission to the Education, Children and Young People Committee on the Impact of Covid on Children and Young People with Additional Support Needs/ Who Are Care Experienced**

The EIS, Scotland's largest teacher trade union and professional association, representing teachers across all sectors and all career levels, is pleased to provide written evidence to the Education, Children and Young People Committee on the impact of Covid on children and young people with additional support needs and those who are care experienced.

The information which is set out below has been gathered from members of the EIS national Additional Support Needs Network, from Executive Committee discussions and a meeting of ASN Teachers in one of our Local Association areas.

The comments pertain mainly to the observations and experiences of teachers working with young people within mainstream settings.

### **Rising incidence of additional support need**

A common theme across a number of recent discussions has been the further increase in the numbers of young people presenting with an even wider array of and more acute additional support needs, as a result of the impact of the pandemic.

Many young people who did not have additional support needs before Covid struck, require significant additional support now as a result of their experiences over the duration of the pandemic. The societal and family contexts coupled with disruption to learning have meant that an increased number of children and young people now require additional support.

EIS members from various local authority areas have reported an increase in the numbers of children presenting with delayed development- for example, still wearing nappies or with minimal speech and language acquisition on arriving in Primary 1.

Also reported has been an increase in violent incidents arising from pupils' distressed behaviour, most notably among P1 and P2 children who traditionally have been less likely to exhibit violent behaviour.

It was recently reported to the EIS national executive Committee from one Local Association area, that over the period of a few days in that week, one Early Primary teacher had suffered a broken jaw and damage to the eye socket from being kicked in the face by a pupil; and another in a different school had a tooth knocked out, having been punched in the face by a child in Primary 2. Others at the meeting concurred based on experiences in their own areas that there is acute need relative to distressed behaviour among a larger cohort of young people than previously, yet Behaviour Support provision is another area in which resources have diminished significantly over the past decade.

## **Mental health impact**

Within this context, more children and young people are presenting with mental health problems for which there is insufficient immediate or timely support.

CAMHS waiting lists are growing and while the Scottish Government may have set the wheels in motion with regards to alternative types of support to CAMHS, the wheels are turning too slowly to enable timely intervention for the many young people who are struggling currently. Not only does this impact negatively on their wellbeing, it impedes their ability to learn.

Counselling support, particularly within the Primary sector where even pre-pandemic more and more young people were presenting with mental health-related additional support need, is sparse.

Against such a backdrop of limited specialist wellbeing support, members report a rise in general anxiety, and in issues related to sleep and eating, across the board for pupils.

## **Impact of Covid-related bereavement**

EIS members are reporting increased need for bereavement support for young people who have lost family members over the course of the pandemic. Given the socio-economic distribution of Covid deaths, this need will be greatest among children and young people from the poorest families and communities.

In one case reported, young people and staff continue to be distressed at the death from Covid of a teacher in the school.

The limited availability of bereavement support and the need to observe Covid safety protocols around visitors to school buildings have meant, however, that young people suffering the effects of bereavement are not getting the support that they need.

## **Impacts on young people with ASD**

EIS members have reported that some young people with Autism experienced heightened levels of anxiety in relation to Covid infection risk, displayed, for example, by staying at home- 'hiding'- within a safe environment, for fear of catching Covid in school on door handles and via paper.

Some young people with very complex ASD needs struggled with mask-wearing protocols and being unable to see teachers' faces as they wore masks in accordance with guidance in the interests of mitigating the risks of infection for all.

Many young people with ASD struggled to make the transition from home learning where they had been relatively isolated back to school with 30 or more young people in a class, being confused about social distancing requirements, for example.

## **Impact on care experienced young people**

One of our ASN-specialist members has observed that care experienced young people who are looked after at home appear to be more impacted than those looked after out of the home. This is suggested by a worsening of general behaviour and an increase in impulsive behaviours, more swearing, and use of transphobic and misogynistic language.

## **Impact on young people with English as an Additional Language**

During periods of school closure EIS members reported concerns about the impact of the shift to online learning on young people from migrant or refugee communities who have English as an additional language and whose parents/carers with varying degrees of proficiency in English were not all able to provide the support to their children that other parents were.

On return to school buildings, with the reality of pre-pandemic cuts to EAL service provision still very much being felt, the EIS remains concerned about the disproportionate impact of Covid on the learning of this cohort of young people, particularly those of refugee status who are in many cases likely to be experiencing the effects of displacement-related trauma.

## **Parents struggling to cope**

It has been reported to the EIS that some parents of young people with more complex needs have sent them to school when they were infected with Covid, this perhaps reflective of parents' struggle to support their children at home.

## **Impact on learning**

EIS members report, in the context of a specific focus on Literacy and Numeracy as part of the Recovery Curriculum, that the experiences of the pandemic and associated disruption to learning are impacting negatively on the development of young people's skills in literacy and numeracy.

## **Additional strain on resources**

Prior to the Covid 19 pandemic, the EIS was campaigning strongly in relation to the chronic under-resourcing of ASN provision, which has been subject to swinging cuts over the past decade or more, against a backdrop of increased austerity-related need, and large class sizes.

As teachers and other school staff have struggled to cope, the impact on workload, health and wellbeing has been significant. The EIS's 2018 all-member survey probed this area and found that:

- 78.2% of respondents (from a total of over 12,000) disagreed or strongly disagreed that provision for CYP with ASN in their school was adequate.

- EIS members were 62 times more likely to report feeling stressed 'frequently' or 'all of the time' at work if ASN provision was inadequate within their school.
- 42% of teachers working in Support for Learning said they regularly worked more than 8 extra unpaid hours per week.
- 86% of Support for Learning teachers said that their stress levels were high
- 52% of all respondents cited the struggle to meet the needs of young people with additional support needs as the single greatest cause of their stress at work.

Without there having been significant additional investment of resource prior to 2020, and the Morgan Review of ASL largely body-swerving the issue of under resourcing of ASN provision, this picture, is likely, and appears from anecdotal evidence, to have worsened during the course of the pandemic. (The EIS is soon to launch an all-member survey which is designed to capture some new data in this area.)

In the meantime, there are reports of increased stress-related staff absence and burnout.

At times where Covid-related staff absence is particularly acute in the Special School context, the remaining staff are working constantly throughout the day without breaks and lunchbreaks to attend to essential personal care needs in addition to providing learning.

## **GIRFEC**

EIS members are reporting greater need for Nurture provision but insufficiency of resources to provide it and an increase in the number of GIRFEC-related meetings yet with no increase in the number of staff able to plan for, attend and take forward the outcomes from such meetings. The impact of this is further delays in young people getting the support that they need and associated heightened distress.

## **Delayed assessment and diagnosis of additional support needs**

Waiting times for assessment and diagnosis of young people's additional support needs is commonly in the region of 6-12 months, meaning that there are long delays in young people receiving the tailored, evidence-informed support that they need.

## **Geographical challenges**

For some pupils in certain geographical areas, poor internet access, social isolation in small and remote communities, and lack of opportunities for after school activities, either individually or combined, are factors which can both intensify the level of need and heighten the barriers to the requisite support.

## **Lessons on what worked during school closure**

During periods of school closure when school communities sought to respond to the needs of young people with additional support needs, many innovative approaches were taken that had nurture at the heart of them. For example, working with smaller groups of pupils to take them hillwalking, to engage them in crafts activities, and provide support for digital learning.

In addition to responding to the specific learning needs of pupils, significant additional investment is needed to support Nurture at this time, arguably for all pupils and students, and most definitely those with social and emotional additional support needs and/or who belong to the families and communities that have been disproportionately impacted by Covid.

## **Facing up to the challenge**

The EIS continues to believe that the Scottish Government and Local Authorities need to be honest about the size of the challenge that we face with regards to ASN provision and about how we address it.

Scotland needs a long-term resourcing strategy- including action to reduce class sizes and significantly enhance the availability of specialist ASN support and expertise within schools- to match the scale of the promise to children and families made within the Additional Support Needs Act almost two decades ago; and to respond to the now even more urgent and larger scale need which has emerged as a consequence of the pandemic.

To continue to dodge the issue of resources and to tinker around the edges of fixing the problem does a huge disservice to many.

It is letting down children and young people with additional support needs, including those who are care experienced, whose wellbeing, learning and associated outcomes are negatively affected by lack of appropriate support.

It also does a disservice to the children and young people in our schools who do not have additional support needs and whose daily educational experiences are impacted by the classroom dynamics which emerge from the fact that there are very large numbers of young people beside them who do need extra help, yet only one teacher and an insufficient numbers of additional ASN teachers and support assistants to give that help and to respond to their own needs and entitlements as learners. Furthermore, the stress impact of these conditions for teachers has a negative effect on the learning environment for all learners. OECD research shows that where teacher wellbeing is sound, learning outcomes for young people are enhanced.

The inertia around ASN resourcing is also letting down families who see the damage that the lack of support does to their children, who are upset by it and are either, where they have capacity, forced into advocacy activity that they should not have to be engaged in; or where they do not have capacity, continue to be distressed by their child's struggle.

It is letting down the teachers and other school staff who are left to respond to an array of increasingly complex support needs and the distress of children and families that emerges when needs are unmet as a result of insufficiency of resources, on a daily basis.

And it will lead to failure of the collective mission to close the poverty related attainment gap.

In looking to recover from the impact of Covid, as with many other areas of society, a return to a pre-Covid 'normal', a pre-pandemic 'business as usual' mode, regarding support for children and young people with additional needs, including those who are care experienced, will be grossly insufficient.

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**The Educational Institute of Scotland**  
**EIS Response to the Scottish Government Stakeholder Consultation**  
**'Getting it right for every child (GIRFEC) Refresh – Practice Guidance'**

**Introduction**

The EIS, as the largest education union in Scotland, with more than sixty thousand members, welcomes the opportunity to comment on the GIRFEC Refresh Policy Statement and Practice Guidance.

The EIS has long supported the holistic, rights-based approach outlined in GIRFEC policy. Underpinned by the United Nations Convention on the Rights of the Child ('UNCRC'), GIRFEC is *intended* to deliver a national approach through which 'everyone in Scotland can work together to help children and young people grow up loved, safe and respected so that they realise their full potential'.

Promoting the wellbeing of all children and young people, protecting those who are vulnerable and at-risk, and supporting those with complex needs, has never been more important. The impact of the pandemic has added to the volume and complexity of needs experienced by children and young people and with one in three living in poverty in many parts of Scotland, urgent and decisive action is essential now to prevent further damage and strengthen support to the most vulnerable.

For GIRFEC approaches to operate effectively, all involved - children, young people, their families and the practitioners, who support them - must have clarity and confidence in the practice being adopted and the legal underpinning of intervention. Following the Supreme Court ruling on Part 4 of the Children and Young People (Scotland) Act 2014 ('the 2014 Act') and the Deputy First Minister's announcement on 19<sup>th</sup> September 2019 to repeal the legislation related to the Named Person Scheme, there has been some uncertainty around implementing aspects of GIRFEC practice, particularly in relation to information sharing. The EIS, therefore, believes that the introduction of clear and unambiguous guidance will be key to providing the reassurance and certainty which all stakeholders need to improve collaborative practice across support agencies and schools and ensure that vulnerable children and young people receive the support they so urgently require. To assist in this process, we have provided detailed comment on the refreshed policy statement and the draft guidance produced.

However, guidance alone will not deliver the changes needed to realise the policy ambition. The Scottish Government must also commit the allocation of sufficient staffing, time and resources to allow all agencies to work together to enhance child protection policy and practice and strengthen the support to those with wellbeing needs that cannot be met by the school alone. Given the growing numbers of children and young people in need of such support, additional investment is needed as a matter of urgency.

**GIRFEC Policy Statement**

**How clear and easy is the statement to understand?**

*Somewhat*

The statement provides an overview of the policy intent of the refreshed GIRFEC approach, its underpinning principles and how they operate with other policy frameworks and legislative provisions.

Given the complexity and range of the policy and legislative context, the statement is lengthy and technical in nature. For those who are familiar with the policy landscape, such as practitioners, this statement provides an overview of the interface between the different initiatives and how they *are intended* to work collectively to support a GIRFEC approach. However, for others who may be less familiar with the operation of the range of policies, this statement may be overly complex and lacking in clarity about how the GIRFEC policy will operate in practice and impact on the lives of children, young people and their families.

Whilst the 'Easy Read' version of the statement might be thought to address the complexities identified in the principal Policy Statement, it is unclear for whom this draft is intended. The suggestion on page 3 is that the document is to assist staff in explaining how GIRFEC can still be used. However, given the skills, knowledge and understanding required by practitioners in adopting a GIRFEC approach, this would appear to be overly simplistic. Further thought should be given to the intended audience of this publication and consideration given to the addition of some scenario-based exemplars which might assist in explaining how the policy will apply in practice.

Consideration should also be given to developing a version of the Policy Statement specifically for children and young people. If, in line with the UNCRC, children and young people are to be supported to engage meaningfully and equitably and to participate in decision-making, they must have a clear understanding of what the refreshed policy is intended to achieve and how this will be implemented.

### **Does the statement provide clarity on the refreshed values and principles of GIRFEC and its core components (sections 25-28)?**

*A little*

Paragraph 23 of the statement outlines the key values and principles of GIRFEC and emphasises the importance of placing the child, young person and family at the centre of the process, promoting choice and the full participation of children, young people and families in decision-making. The language used is inclusive and is set in a context of co-operation and open communication. This approach would appear to be designed to respond to the issues identified by the Supreme Court<sup>1</sup> when considering the compatibility of Part 4 of the 2014 Act with Article 8 of the European Convention on Human Rights ('ECHR') (the right to privacy and family life).

The statement goes on to highlight the continuum of need and acknowledges that child protection processes fall 'at the urgent end of a continuum of services which include prevention and early intervention'. It provides that 'the GIRFEC principles and approach are consistently applicable'. Whilst the statement refers to the National Guidance for Child Protection in Scotland 2021, it does not make it clear that there may be some child protection cases where the joint, partnership

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<sup>1</sup> [\\*The Christian Institute and others \(Appellants\) v The Lord Advocate \(Respondent\) \(Scotland\) \(supremecourt.uk\)](https://www.supremecourt.uk/)

approach with families, as outlined in the values and principles, may be inappropriate, in particular where the family is the subject of an investigation. Indeed, if an open communication approach were adopted in these circumstances, it may compromise the safety of the child or young person or the progress of a criminal investigation. To understand the integration of child protection within the GIRFEC principles, the child protection guidance, or other Parts of the suite of GIRFEC guidance, would have to be separately accessed. This distinction needs to be clearly identified in the values and principles, to ensure that situations at the urgent end of the continuum, which adopt the GIRFEC principles, are dealt with appropriately and place the welfare of the child or young person at the centre of the process.

Paragraph 24 outlines the core components which will facilitate the delivery of GIRFEC. These components are identified as:

- 'a named person who is a clear point of contact for children, young people and families to go to for support and advice. A named person can also connect families to a wider network of support and services so that they get right help, at the right time, from the right people;
- a shared and holistic understanding of wellbeing and a single model of how this can be considered and supported; and
- a single, shared approach to planning for children's wellbeing where support across services is needed, co-ordinated by a lead professional.'

Whilst the EIS supports a holistic understanding of wellbeing, early intervention approaches and a single, shared approach to planning for children's wellbeing, we are unclear as to the legal underpinning of the provisions which relate to 'a named person' in the process. The statement specifically provides at paragraph 47 that the Scottish Government will repeal Parts 4 and 5 of the 2014 Act. Part 4 provides the statutory basis for the operation of the named person service and the duties and rights associated with this role. If Part 4 is repealed, on what legislative basis will the named person be entitled to act and facilitate the delivery of the GIRFEC values and principles?

The suggestion would appear to be that the refreshed Policy Statement, in conjunction with the Statutory Guidance for Wellbeing Assessment and the Practice Guidance on Information Sharing, the Role of the Named Person, the Role of the Lead Professional and using the National Practice Model will be sufficient.

However, it is clear from the judgement of the Supreme Court<sup>2</sup> that:

*'one of the principal purposes of Part 4, as envisaged at that stage, was to alter the existing law in relation to the sharing of information about children and young people, so as to enable information about concerns about their wellbeing, held by individual bodies, to be pooled in the hands of named persons and shared with other bodies, with the ultimate aim of promoting their wellbeing'.*

It goes on at paragraph 15 to state:

*'one of the central purposes of Part 4 is to establish new legal powers and duties, and new administrative arrangements, in relation to the sharing of information about children and young people'.*

If the named person is key to the implementation of the final principle,

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<sup>2</sup> Ibid, paragraph 4

referenced in paragraph 23, i.e. 'joint working in a culture of co-operation and communication between practitioners and services, both locally and nationally across Scotland', presumably, an aspect of this role will rely on information sharing and new administrative arrangements should have been implemented to support this. On that basis, after the repeal of Part 4 of the 2014 Act, under what legal powers and duties will the named person operate, if such powers did not exist previously?

It is also unclear whether paragraph 24 would envisage the named person being the point of contact for other services in relation to the child or young person in order to promote, support or safeguard the child's wellbeing. From the wider practice guidance, this appears to be the case. However, on what basis will information be received, reviewed and processed by the named person?

The document seeks 'to reassure leaders, managers and practitioners about how GIRFEC can be delivered within the current legislative and policy framework of rights, information sharing and delivery of supports and services to children and their families', but it does not expressly address the issues highlighted above or the criticisms levelled at the operation of the policy by the Supreme Court.

**Does the statement give practitioners confidence in the importance of embedding and implementing GIRFEC to improve outcomes for children and families?**

*Not at all*

The EIS believes that practitioners already have a clear understanding of the importance of and are committed to embedding GIRFEC, to improve outcomes for children, young people and their families. The implementation of the GIRFEC approach has, over a number of years, given rise to collaborative multi-agency practice and despite insufficient resourcing and excessive workloads, seen practitioners across agencies work tirelessly to deliver meaningful interventions for children and young people.

However, despite these efforts, there remains a gap between GIRFEC policy and its effective implementation in practice, stemming from the significant under-provision of resources and general inaccessibility of sources of support for children and young people<sup>3</sup>. Although the policy statement gives a commitment to striving 'to use our knowledge and learning to understand better the barriers to effective implementation of GIRFEC', it is unlikely to build practitioner confidence, as it fails to recognise and address the barriers which all agencies are facing as a result of significant under-resourcing.

The EIS has long cited the high level of workload demand on teachers, pupil support teachers, Depute and Head Teachers, generated by the GIRFEC agenda. We have highlighted the need for additional teaching and administrative support staff to deliver the policy intentions; and for smaller class sizes to meet rising complexity of need. We are, therefore, disappointed that the statement fails to adequately acknowledge the existing barriers to

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<sup>3</sup> For example, CAMHS waiting lists

implementation and ultimately to the realisation of children's rights, flowing from the UNCRC.

EIS members are witness every day to the prevailing barriers to children's rights that can only be removed by increased resourcing and support, a reduction in class sizes, and the provision of appropriate relevant professional learning opportunities. The GIRFEC policy is based on joint working in a culture of co-operation and communication between professionals, working in partnership with children, young people and their families. For this approach to operate effectively, practitioners must be given time to develop relationships, to engage in meaningful planning and reflective practice and to assess the impact of interventions. With increasing levels of need in children and young people, exacerbated by the pandemic, and the reduction in the number of specialist ASN teachers in schools, teachers are under increasing pressure to provide the level of additional specialist support needed in the classroom. With under-resourcing in the provision of support services more widely, the early intervention approaches espoused by GIRFEC policy cannot be invoked.

Unless resourcing issues are addressed, then confidence in the implementation of the GIRFEC agenda will remain low.

***To what extent do you think that the statement will help practitioners understand how to embed the United Nations Convention on the Rights of the Child, and to protect, respect and uphold children's rights?***

*A little*

The statement provides an overview of the links between GIRFEC and the UNCRC. It also highlights how some of the specific rights would apply and the importance of seeking the views of children, young people and their families. However, the statement does not sufficiently address the roles of each practitioner and the legal basis upon which the named person provisions would operate.

This question also fails to recognise the importance of professional learning in informing practice and in embedding the UNCRC. Time and resources should be allocated to allow opportunities for practitioners to participate in and reflect upon professional learning and its impact on practice to ensure that a rights-based approach is consistently adopted. Multi-agency professional learning opportunities could be developed to allow practitioners to increase their understanding and appreciation of the roles and functions of other professionals engaged in the process.

Consideration should also be given to young people's participation in decision-making at all levels and to how they will be supported to engage meaningfully and equitably in this. This has pedagogical implications for schools and teachers which need to be explored and appropriate measures put in place to ensure that there is time and space within over-crowded school curricula and teacher working days to enable learning and teaching about participation in decision-making processes in the interests of young people's rights realisation.

***Does the statement reflect the importance of the voice of the child and family?***

*Somewhat*

The statement reflects the importance of engagement with children, young people and their families to capture their views. It does not, however, consider how these views can effectively be obtained or the impact of competing opinions.

It also fails to recognise the issues around capacity and what the move to a presumption of capacity approach will mean in practice.

Furthermore, it does little to offer advice to ensure that the voices of underrepresented children, young people or families are included and that barriers to their participation are removed. We have provided more detailed comment in this respect in relation to the Guidance on the Named Person below.

***Can you outline anything specific that would be helpful to add to this statement?***

We would highlight the issues captured above.

**Practice Guidance 1 – the Role of the Named Person**

***How clear and easy is the guidance to understand?***

*Somewhat*

The guidance seeks to provide information about who *should* undertake the role of the named person and provides some clarity in this respect. However, by devolving the determination of how a named person service will operate to local authorities and health boards, this will inevitably result in local variation and inconsistency of approach. This would seem contrary to the aspiration of 'a universal standard' of named service provision, referred to in paragraph 23 of the guidance and may result in a post-code lottery of wellbeing support for children, young people and their families.

The EIS would recommend that further consideration is given to the creation of a national scheme which can be implemented locally but will have consistent key components at their core. This would provide clarity of approach for all those accessing the service as well as for practitioners and would avoid the need of having to respond to local variations according to the local authority or health board area. It would also assist in transition situations where a child or young person and their family are moving between local authorities or health board areas and arrangements are being made to transfer the provision of support.

We would also suggest that paragraphs 3 and 4 of the guidance should be clearer in identifying the role of the named person. The definition starts by stating 'local arrangements and the term used to describe this role or function may vary from area to area'. This is unhelpful. We have seen from child planning processes in the provision of ASL that the local variations in the names of plans adds to confusion for children, young people and families and

indeed, is unhelpful to practitioners when dealing with cross-authority planning arrangements. If an individual is fulfilling the role of a named person, then that term should be used so that there is a common understanding of the role and function.

Paragraph 4 then states that although it is the intention of the Scottish Government to repeal parts 4 and 5 of the 2014 Act, 'the commitment remains to deliver these core components of GIRFEC within existing law'. Rather than specifying how this will be achieved at a national level, the guidance devolves the delivery of these policy objectives to local authorities and health boards. This offers no clarity as to whether the role of the named person is expected to have changed or whether it is intended that the role, functions and duties as outlined in Part 4 of the 2014 Act will simply be discharged without legislative backing and under local arrangements.

If the core components of the named person service, as outlined in part 4, are to be delivered in practice, then what protection will individual named persons acting under a local scheme have? Section 19(8) of the 2014 Act made it clear that 'responsibility for the exercise of the named person functions lies with the service provider rather than the named person'. However, the draft guidance does not make this distinction and refers to the duties and responsibilities of the named person. If practitioners discharging this role are to have confidence in the exercise of this function, they should also be aware of the consequences of challenge and the protections available to them.

There is also a disconnect between the definition given of a named person and the outline of the functions in the guidance. Annex A (paragraph 39) states that a named person is 'a clear point of contact for times when children and families require information, advice or help. The named person is mainly provided by health and education services and is usually someone who is known to the child and family and who is well placed to develop a supportive relationship with them...A named person can help children and families access relevant support for a child's wellbeing.'

This definition makes it clear that the named person is there to support children, young people and their families. There is no reference to being a point of contact for other agencies. Indeed, this definition aligns itself with the description of the role provided by the DFM in his ministerial statement on 19<sup>th</sup> September 2019:

*'The mandatory named person scheme for every child -underpinned by law- will not now happen. We will withdraw our Bill and repeal the relevant legislation.*

*Instead, existing voluntary schemes that provide a point of contact for support will continue under current legal powers, where councils and health boards wish to provide them and parents wish to use them.'*

From this, the voluntary nature of the role is evident.

However, paragraph 18 of the draft guidance appears to extend the definition when referring to the role of the named person. It provides that the named person is 'a clear point of contact for anyone worried about the child's

wellbeing, whether the child themselves, parents, other family members or others working with the child.’ It goes on to provide that ‘all adults working with children and young people under the age of 18 or with adults who are parents or carers should be aware of and know how to contact the child’s named person’. The tone of this section appears more directive in nature and links back to the approach previously adopted in statute. Furthermore, the draft guidance does not make it clear upon what basis the information will be shared with the named person.

As currently drafted, it is unclear whether the named person scheme is truly voluntary and designed to operate in partnership with children, young people and their families or whether in reality, it seeks to replicate the approach adopted in Part 4 of the 2014 Act, without the legislative underpinning.

This lack of clarity is likely to lead to confusion for all involved and may undermine confidence in its application. Where there is uncertainty, this may adversely impact the positive relationships which practitioners are striving to build with the children, young people and families they are supporting or undermine the rights-respecting, strengths-based, inclusive approach referred to in the policy statement.

To ensure that the guidance is accessible, a children and young person’s version of the guidance should be developed. It would also be helpful to provide specific information on parental rights and responsibilities in relation to the named person scheme, to ensure that there is a common understanding of the extent of its application.

***Does the guidance provide clarity on the role of the named person in the implementation of GIRFEC?***

*Not at all*

As outlined above, the draft guidance does not provide clarity on the role of the named person in implementing GIRFEC.

The fact that local authorities and health boards will define the role and function of the named person means that there will be no consistent implementation of the scheme, leading to variation in practice and outcomes for children and young people.

It is also unclear how this apparent devolved approach sits with the numerous responsibilities which the guidance then attributes to the named person:

- ‘as and when required, a named person will work together with specialist services such as social work, police and mental health services’ (paragraph 5);
- ‘it is the responsibility of the named person to make contact with the child and family to offer support and assistance necessary to ensure their safety and wellbeing (paragraph 6)
- If a young person leave school before the age of 18, ‘it is the responsibility of the named person to make contact with the young person on a regular basis to offer support where this is necessary to ensure their wellbeing’ (paragraph 12);

- 'once a wellbeing need has been brought to the attention of the named person, it is the named person's responsibility to collaborate and discuss with the child and their family, and other agencies if needed, to explore what support could be provided to address the child's identified wellbeing needs' (paragraph 19);
- 'the named person will contribute to the assessment and planning process for children and young people who need extra help at key transition points, for example, between pre-school and primary or secondary education' (paragraph 25);
- They will ensure effective transfer of information in line with information sharing guidance about the child or young person...to the new named person' (paragraph 25);
- For children and young people with additional support needs, the named person will contribute to ensure that any additional support with transitions is identified and implemented' (paragraph 26)
- Other examples of this include Transition Care Plans for young people moving from Child and Adolescent Mental Health Services to Adult Mental Health and Care Services, young people who need social care support making the transition from children's services to adult service and also young carers moving from a Young Carer Statement to an adult carer support plan' (paragraph 27); and
- The named person 'will work with the lead professional to help bring about improved outcomes in the child or young person's wellbeing' (paragraph 32)'.

Will the local authority or health board be required to include these responsibilities in the description of the local scheme or have autonomy to adopt a different approach? The status of the guidance and the link to the local provision is therefore unclear.

It is also unclear whether engagement with the named person service is truly voluntary. Whilst paragraph 7 makes it clear that 'there is no obligation on children and families to accept the offer of advice and support from a named person' and paragraph 21 allows for the child, young person or family to seek to have the named person replaced by 'another suitable individual', there is no provision for a child, young person or family to decline to have a named person appointed in the first place. If a child, young person or family elect not to have a named person, upon what legal basis would the named person continue to offer support, share and receive information or indeed, participate in the range of duties imposed on them and referred to above? Greater clarity on this would be welcomed.

***Does the guidance help provide confidence and understanding for practitioners working in the role or alongside the named person?***

*Not at all*

As highlighted above, the lack of clarity around the role and function of the named person will do little to build confidence in practitioners working in the role or alongside the named person. After the uncertainty around the introduction of the scheme; the decision of the Supreme Court; and the

apparent change from the mandatory scheme to the voluntary engagement with the named person, it is vital that practitioners have a clear common understanding of the role, the function and the extent of their responsibilities, moving forward. Devolving the definition and scope of this core element of the policy to local authorities and health boards will do nothing to promote this.

As currently drafted, there is no statement identifying the status of the guidance. As Part 4 of the 2014 is to be repealed, it would appear that the guidance will be advisory. If this is correct, will local schemes be required to follow the advice given? And what protection will practitioners have in discharging the role of named person or in working alongside the named person if the local scheme deviates from the advice given in the guidance?

The statutory provisions in the 2014 Act offered a degree of comfort for practitioners by stipulating that responsibility for the exercise of the functions of the named person scheme lay with the service provider and not with the individual. Without this statutory protection, individual staff members may feel more vulnerable and less confident in the exercise of their functions, particularly around information sharing, in light of previous challenges.

The draft guidance also fails to adequately make the distinction between a wellbeing need and a child protection concern. Paragraph 23 recognises that the named person should have a clear understanding of this distinction but does not elaborate further or provide any guidance in this regard.

***To what extent do you think that the guidance will help practitioners understand how to embed the UNCRC and to protect, respect and uphold children's rights within the role of the named person?***

*Not at all*

Other than the reference in the introduction to the fact that UNCRC underpins GIRFEC, the draft guidance does not focus on the Convention or its implementation.

This question also fails to acknowledge that draft guidance alone will do little to embed the UNCRC and to protect, respect and uphold children's rights within the role of the named person. What is needed is specific professional learning with dedicated time to engage, reflect on and implement the learning in practice.

This was acknowledged in the final report of the Getting it Right for Every Child Practice Development Panel which concluded that in addition to a refresh of the suite of practice guidance and learning and development materials, there was a need for 'additional multi-year investment in multi-year training and development supporting common purpose and collaborative working in relation to sharing information and the delivery of the GIRFEC approach'.

***Does the guidance reflect the importance of the voice of the child and family?***

*A little*

Whilst the draft guidance reflects the importance of adopting a partnership,

rights-respecting and inclusive approach, and highlights that a decision by a child, young person or family not to accept advice, help or additional support is not, in itself, a cause for concern, it fails to address whether the scheme is truly voluntary and therefore, whether it is possible to opt-out of the named person scheme.

Furthermore, it does little to offer advice to ensure the inclusion of the voices of children, young people or families whose views are often less well captured due to the design of engagement processes not sufficiently taking account of specific needs, and the barriers to their participation removed. This includes care experienced children, particularly in the context of The Promise; children affected by domestic abuse, migrant children, children from working class backgrounds, including those living in poverty, disabled CYP, LGBT CYP, BAME children and girls.

All children currently face significant barriers to participation, knowing their rights and ensuring that their voices are actively listened to. However, these groups face additional barriers due to systemic inequality. The guidance should highlight the importance of supporting meaningful participation from children and families of underrepresented groups, adapting environments to be more inclusive and providing examples of good practice.

The guidance should also address situations where there are conflicting views between the voices of children and young people on one hand and those of the family on the other. It should also consider the issues around conflicting rights more widely amongst children and young people, for example, in the school setting and how those rights can be balanced. This will be of particular significance in the context of mainstreaming.

***Can you outline anything specific that would be helpful to add to this guidance?***

The guidance would benefit from scenario-based exemplars to highlight the application of the guidance in practice.

We would suggest that the guidance clarifies the distinction between a wellbeing need and a child protection concern and the situations in which it would be inappropriate to share information. The Supreme Court made it very clear that a wellbeing concern cannot be used as a basis upon which to share information. Given this important departure from previous practice, this should be explicitly referenced in the guidance and consideration given to removing the word 'wellbeing' from text regarding information sharing. Without clarity in relation to these provisions, there is a danger that information could be shared without a legal basis. Although this may be referred to in the Information Sharing Guidance, there is a danger that busy practitioners will not have time to consult all sets of guidance and the consequences of disclosure may have a detrimental impact on the welfare of the child or compromise a criminal investigation.

To ensure that the guidance is accessible, a children and young person's version of the guidance should be developed. It would also be helpful to provide specific information on parental rights and responsibilities in relation

to the named person scheme, to ensure that there is a common understanding of the extent of its application.

***Are there any areas where the further development of resources or guidance would be helpful in supporting the role of the named person?***

The named person scheme has significant workload implications for promoted members of teaching staff who may be named persons and for others who may act as lead professionals. Whilst the EIS has not been opposed in principle to a named person approach to child welfare, it does not accept that the premise in paragraph 22 that those discharging the role do so, using skills, knowledge and understanding, 'as part of their daily function'.

The responsibilities referred to above, the complexities of decision-making in relation to information sharing, the requirements for liaison with other authorities and third parties and the bureaucracy in relation to Child Plans create significant additional workload which is not sustainable with current staffing levels.

Staff involved in discharging this role are often doing so outwith working hours and this is a major contributory factor to work related stress.

If the named person scheme is to operate effectively, adopting the values and principles outlined in the policy statement, then this requires significant investment to ensure that all professionals involved have the required time and resources to build relationships, and provide the support needed to deliver positive outcomes for children, young people and their families.

**Practice Guidance 2 - the Role of the Lead Professional**

***How clear and easy is the guidance to understand?***

*Mostly*

***Does the guidance provide clarity for the role of the lead professional in implementing GIRFEC?***

*Mostly*

***Does the guidance help provide confidence and understanding for practitioners working in the role or alongside the lead professional?***

*Mostly*

***To what extent do you think that the guidance will help practitioners understand how to embed the United National Conventions on the Rights of the Child, to protect, respect and uphold children's rights within the role of the lead professional?***

*A little*

***Does the guidance reflect the importance of the voice of the child and family?***

*Somewhat*

***Can you outline anything specific that would be helpful to add to this guidance?***

The draft guidance is fairly clear and easy to understand. There are areas,

however, where there appears to be an overlap between the functions of the lead professional and those of the named person. For example, paragraph 14 provides that the lead professional will be 'a point of contact with the child and their family' and also 'for all practitioners who are delivering support for the child'. Paragraph 24 then defines the role of the named person, stating that they are 'a clear point of contact for times when children and families require information, advice or help'. Given the apparent overlap in this aspect of the roles, it would be helpful if the guidance more clearly defined the interface between the lead professional and the named person in these situations.

The definition of when a Co-ordinated Support Plan ('CSP') will be required in paragraph 8 does not accurately reflect the statutory definition and may add to the misunderstandings, misconceptions and myths around the CSP process. A CSP is the statutory education plan for children and young people with additional support needs arising from one or more complex factors or multiple factors which are likely to continue for more than a year; and who require significant additional support from the education authority as well as another part of the education authority carrying out another function, for example, social work or from an appropriate agency. We would suggest that this section is altered to accurately reflect the situations in which a CSP will be created.

The second bullet point of paragraph 8, which refers to the requirement for a local authority to prepare a child's plan for any child or person who is looked after, could also be extended to make it clear that there is also a duty to consider the creation of a CSP, when a child is looked after. Section 1 of the 2004 Act states that a child or young person who is looked after has additional support needs, unless the education authority determine that they do not require additional support in order to benefit from education. Any looked after child or young person who has been identified as having additional support needs should be automatically and regularly considered for a CSP. We would, therefore, recommend that this important statutory provision is included in the guidance.

Paragraph 10 outlines the range of different professionals who could act as a lead professional and highlights that the person 'should be able to provide confident leadership and should be familiar with the remit of different agencies to be able to coordinate the help needed'. This vision of a lead professional would require to be built on strong principles of collegiality in an empowered system. To operate effectively in this way, all agencies would require adequate resources to provide the necessary intervention and would benefit from multi-disciplinary professional learning to ensure a common understanding of the process and the expectations of the person delivering this role.

Paragraph 7 highlights the importance of the lead professional receiving 'support and supervision which is tailored to the requirements placed upon them by the work with the child and their family'. Whilst the concept of 'supervision' is well-embedded within Social Work, it is not a term which used in this context in Education. Further explanation of what is meant by the term and what is involved in the process would be helpful to ensure that all professionals who may be asked to discharge this role have a clear understanding of the supportive nature of this function and who is best to provide it.

Whilst the draft guidance highlights the importance of engaging effectively with children, young people and their families to ensure that their views and wishes are heard and properly taken into account, it could be developed further to highlight the need to ensure that under-represented children, young people and families can meaningfully engage in the process.

To ensure that the guidance is accessible, a children and young person's version of the guidance should also be developed.

### **Practice Guidance 3 - Using the National Practice Model**

#### ***How clear and easy is the guidance to understand?***

*Mostly*

The guidance has been drafted in a clear and helpful manner, outlining the four main ways in which a child or young person's wellbeing needs may result in support being accessed. It also provides practical advice for practitioners in using the National Practice Model, clearly highlighting the interface with child protection procedures and the importance of adopting inclusive approaches.

There are some areas of the guidance, however, where the advice given does not clearly align with other Parts of the Practice Guidance:

- The role of the named person as outlined in paragraph 10, through liaison with a range of professionals, non-statutory agencies and individuals, appears to be more extensive than is evident from the definition of a named person used through all Parts of the Practice Guidance. The named person is defined as 'a clear point of contact for times when children and families require information, advice or help'. This may be interpreted in a narrow way, designating the named person as a point of contact for children and families alone, and not the wider agencies referred to in this Guidance. It is important that there is a clear understanding of the extent of the role, and the legal basis upon which engagement with this wider range of practitioners and individuals can take place. Upon what basis can a named person receive, hold and process the information from these third parties?
- Paragraph 11 provides advice on recording a child's wellbeing needs. It states that recording information and details about 'any worries or concerns' in relation to a child's wellbeing is a key element in demonstrating and providing evidence of the need to provide early intervention measures. Paragraph 10 of the Information Sharing Guidance (Part 4) states that 'practitioners should apply the same consideration to the information shared within chronologies as they apply to other information sharing'. The EIS is not convinced that the encouragement to record 'any worries and concerns' meets the tests laid out in the Information Sharing Guidance.
- Paragraph 12 of the guidance provides that 'unless there are exceptional circumstances which dictate that this would not be appropriate (such as a risk of significant harm to a child), practitioners should ask the child and their family's permission to share information recorded about them.' It then states that local protocols and recording practices should follow the principles in Practice Guidance 4. However,

paragraph 7.1 of Practice Guidance 4 appears to call this approach into question, stating that 'there is likely to be a power imbalance, real or perceived, that makes it difficult for children and families to freely give consent. *This means consent is unlikely to be a sound basis to rely on for sharing personal information with another organisation*'. It also states that 'it is important that practitioners do not give the impression that they are seeking consent if the information needs to be shared regardless'. If practitioners are to build trusting relationship with children, young people and families, there must be clarity on the approach to be adopted.

- Paragraph 13 makes it clear that where a child is at risk of significant harm, the Child Protection Practice Guidance will apply. It then states that 'consideration should be given by the practitioner and their manager to whether and when to share information with the child and their family'. This appears to be contrary to child protection practice as the core agencies would normally determine when and if so, what information will be shared. We would suggest that this point is clarified.

Paragraph 10.3 provides guidance in situations where wellbeing needs are identified by individuals. It provides that before the information is shared, the individual must ensure that the requirements of necessity, proportionality and lawfulness are met in terms of Information Sharing. Given the complexities of the issues to be considered, we would question whether this will operate in practice and what action the named person should take, if this assessment has not been made. Will this render the sharing of the information unlawful?

The guidance then provides that those wishing to raise a concern should detail their observations with reference to the eight Wellbeing Indicators and outline the basis for these in the same way as the named person would do. This attributes a level of knowledge and understanding to individuals, who may not have had any training in this complex area. We would question how this will be applied in practice and whether this approach may act as a barrier to individuals coming forward where they have legitimate concerns about the wellbeing of a child or young person.

***Does the guidance provide clarity in using the National Practice Model as a key part of the GIRFEC approach?***

*Mostly*

***Does the guidance help provide confidence and understanding for practitioners when including children and families in discussing the areas of the National Practice Model?***

*Somewhat*

As highlighted above, there is some ambiguity around the issue of consent when seeking to share information and the processing of information received. Further clarity in these respects would be welcomed.

***To what extent do you think that the guidance will help practitioners understand how to embed the UNCRC and to protect, respect and uphold children's rights when using the National Practice Model?***

*A little*

The issues highlighted in response to this question in the other Parts of the Practice Guidance apply here also. We would refer to our previous responses in this respect.

***Does the guidance reflect the importance of the voice of the child and family?***

*Somewhat*

Paragraphs 26, 27 and 28 of the draft guidance are helpful in adopting an inclusive approach and ensuring that children and families are included in discussions around the assessment of need. This could perhaps be expanded to provide guidance about what should happen if there is conflict between the views of the children or young person and the family or between the views of other children and young people accessing the same setting.

It could also be developed further to highlight the need to ensure that under-represented children, young people and families can meaningfully engage in the process.

***Can you outline anything specific that would be helpful to add to this guidance?***

We would refer to the issues highlighted in the previous answers.

***Are there any areas where the further development of resources or guidance would be helpful in supporting the use of the National Practice Model?***

To ensure that the guidance is accessible, a children and young person's version of the guidance should be developed.

**Practice Guidance 4 - Information Sharing**

***How clear and easy is the guidance to understand?***

*Not at all*

The guidance is legalistic in its terms and fails to offer practical advice on how to approach information sharing through the continuum of need, from wellbeing needs to child protection concerns.

***Does the guidance provide clarity on the practice on information sharing within GIRFEC?***

*Not at all*

***Does the guidance provide practitioners with confidence and understanding in making decisions about sharing information?***

*Not at all*

Whilst the EIS understands that guidance on information sharing will, by necessity, rest on the application of the relevant legal framework, the guidance does little to translate the legal terminology into meaningful practical situations, to support practitioners in decision making.

In its final report, the Getting it Right for Every Child Practice Development Panel highlighted the need for guidance on sharing wellbeing concerns, risks and needs to provide clarity and build confidence. The overwhelming focus of the Part 4 Guidance is, however, on sharing child protection concerns. There is already Child Protection Guidance which provides clear guidance on information sharing and which was updated this year. Indeed, the relevant section has been incorporated in this draft guidance. It would be more helpful if the guidance outlined how the sharing of information about the range of wellbeing concerns in the continuum of need should be approached from a practical perspective. The use of a flowchart may make this more accessible for practitioners who are already struggling with excessive workload and overly bureaucratic planning processes, related to the GIRFEC process.

The Panel also recommended that the guidance be tailored to enhance the understanding for families and practitioner practice and suggested the use of scenarios to explain how safeguards are applied and choice and decision making managed in different situations. The EIS would recommend that further consideration is given to this approach.

The impact of these provisions on workload cannot be overstated. The complexity of the considerations around information sharing will add to the already excessive workloads of teachers and other professionals.

***To what extent do you think that the guidance will help practitioners understand how to embed the UNCRC and to protect, respect and uphold children's rights within the practice of information sharing?***

*Not at all*

***Does the guidance reflect the importance of the voice of the child and family?***

*Not at all*

The Panel recommended that the guidance on information sharing should help practitioners to understand better how to work with families through consensual agreement where they actively engage with services and only the necessary information is shared for them to get the services they wish.

Rather than provide this practical advice, the guidance repeatedly emphasises that practitioners cannot rely on consent as a basis for sharing information as there will be an inherent power imbalance. Whilst this is a valid consideration from a legal perspective, this guidance does nothing to resolve how this approach dovetails with the partnership, inclusive approach which is cited as one of the values and principles of GIRFEC.

It might be more helpful if the guidance focused on the good practice in developing relationships and meaningful engagement with children, young people and families to promote a culture of empowerment, where decision making is 'person-led as well as person-centred'.

***Can you outline anything specific that would be helpful to add to this guidance?***

As highlighted above, we would recommend that a scenario-based approach

is adopted when considering this important guidance. A flowchart of the different considerations of practitioners when making a decision to share information, relevant to the concern within the continuum of need, would also be helpful.

***Are there any areas where the further development of resources or guidance would be helpful in supporting information sharing?***

Professional learning resources will be particularly important in relation to information sharing. Given the legal challenge to the information sharing provisions contained in Part 4 of the 2014 Act, practitioners are likely to be anxious about information sharing in practice. Professional learning, tailored to the needs of each stakeholder, should be developed and consideration given to providing this in a multi-agency context so that there is a wider appreciation of the issues for all agencies involved, as well as for children, young people and their families.

**Information Sharing Charter**

***How clear and easy is the charter to understand?***

*Somewhat*

***Is the language used child and family friendly?***

*A little*

It continues to adopt a legalistic tone, rather than tailoring the advice to enhance the understanding of children, young people and families of the importance of information sharing and how it will dovetail with other rights, such as privacy. The use of scenarios to explain how safeguards are applied and choice and decision making managed in different situations may help in making the Charter more meaningful for stakeholders.

To ensure that the guidance is accessible, a children and young person's version of the Charter (distinct from that for parents) should be developed.

***Does it provide clarity for your role and responsibilities when informing children and families how their information will or will not be shared?***

*Somewhat*

The Charter does not address whether engagement with the named person service is truly voluntary and the recourse available to families who have concerns about the operation of GIRFEC in practice. It might be helpful to provide specific information on parental rights and responsibilities in relation to the named person scheme, to ensure that there is a common understanding of the extent of its application.

***To what extent do you think the charter will help practitioners understand how to embed the United Nations Convention on the Rights of the Child and to protect, respect and uphold children's rights while sharing the charter with children and families?***

*For the reasons highlighted in previous responses, not at all.*

***Does the charter reflect the importance of the voice of the child and family?***

*A little*

Although the Charter states at the outset that it has been written for children, young people, parents and carers, the importance of engaging meaningfully and directly with children and young people appears to have been lost in the third paragraph. It states, '*We need some information about you/your child so that we can provide a service (e.g. so that we contact you) and so that we can support your child's wellbeing*'. This appears to be addressed exclusively to parents and carers and does not adopt the rights-based, inclusive approach promoted by the UNCRC or promote the importance of the voice of the child. The Charter makes no reference to ensuring that engagement is meaningful and that information will be provided in an accessible format to facilitate understanding. This will be particularly important for under-represented groups who are already disadvantaged as a result of systemic inequality.

***Is there anything missing from this charter that would be helpful for children and families to know and understand about information sharing?***

The Charter could adopt a more positive tone, promoting the importance of the partnership approach, based on the principles of School Empowerment and respect, which is at the heart of GIRFEC. Although we recognise that information about complaints processes is relevant, we would suggest that the focus instead should be on the benefit of embedding GIRFEC practice and developing a culture of respect for children's rights. This would help to build the confidence of all stakeholders in relation to the importance of the information sharing provisions and how they will operate in practice.

**Conclusion**

For all aspects of GIRFEC to operate effectively, the Policy Statement and implementing Practice Guidance must be clear, comprehensive and inform practice. It should have a clear legal basis to promote confidence in all stakeholders engaging with the process and be rooted in strong collaborative partnership working within a culture of equality and inclusion. This must be underpinned by the allocation of time and resources to promote early intervention, collegiate practice, good communication and quality engagement of all involved. Given the growing number of children, young people and families in need of enhanced wellbeing support, additional investment is now a matter of urgency.

The EIS would be willing to continue dialogue in relation to draft Policy Statement and Practice Guidance and would be happy to elaborate further on the issues raised in this response.

December 2021

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## **The Educational Institute of Scotland EIS Response to GTCS Consultation on Registration Rules**

### **Introduction**

The EIS is the largest education union in Scotland, with more than sixty thousand teacher members, including over five thousand members in Further Education Colleges.

Given the centrality of GTCS Registration Rules to admission to the teaching profession and ongoing professional development thereafter, the EIS welcomes the opportunity to comment on this consultation paper and the potential impact of the proposed changes in practice.

The EIS supports the commitment given in the consultation to protecting the integrity of the Register of Teachers and the high standards of professionalism in Scotland's teaching workforce. Against this background, we believe that it is also important that the Registration Rules properly recognise the distinct and different contextual environments that apply when considering teaching in schools and teaching in Further Education colleges. As we move towards full implementation of the national roll-out of GTCS registration for college lecturers, it is essential that any changes to the Rules reflect sectoral routes to qualification whilst preserving the integrity of the Register of Teachers.

With these principles in mind, the EIS has the following comments to offer:

### **Part 2: Registration Categories**

- ***GTCS Scotland propose that the Register of Teachers will consist of the following categories of registration: Primary Education; Secondary Subject Education and Further Education.***

Agree

Subject to the comments made in relation to the Additional Support Needs ('ASN') section, the EIS agrees with the proposed categories of registration.

- ***The proposed changes to registration categories meet GTC Scotland's aim to ensure the Register of Teachers reflects the Scottish education system.***

Neither agree nor disagree

The EIS is unclear as to the intended aim behind the proposed changes to registration categories. The Scottish education system has many component parts as is evident in the Empowered Schools System, of which teachers and practitioners form an integral part. Registration categories, in themselves, will not reflect the full system. They can, and currently do, reflect the sector within which teaching and learning is delivered.

It is the registration criteria, which underpin the categories, which are central in ensuring that teachers and lecturers are equipped to meet the needs of the learners in their context. The distinct nature of the provision and the different routes to qualification within those sectors should be appropriately reflected in the registration criteria for each registration category, and we have commented further on this below.

Such an approach is consistent with Article 15(2) of the Public Services Reform (General Teaching Council for Scotland) Order 2011 ('the 2011 Order'), which allows GTCS to 'set different procedures or different registration criteria for different types of teacher' and ensures that current high standards can be maintained whilst acknowledging the different contexts in which teaching and learning takes place across the Scottish education system.

- ***GTC Scotland propose that individuals registered in the category of Primary Education will be registered to teach:***
  - ***the entirety of the early learning and childcare and primary curriculum from early learning and childcare through to Primary 7;***
  - ***literacy, numeracy and health and wellbeing across Broad General Education in other contexts in the interests of specific learners.***

Strongly Disagree

The EIS is not satisfied that there is a need to change the definition of the Primary education category of registration. The current definition is clear, providing that those teaching in the Primary category can 'work with children in the three to twelve years age range, in nurseries and primary schools'<sup>4</sup>. The specific parameters of the registration category ensures that there is clarity in relation to the sector within which Primary registrants can teach and therefore, provides further reassurance about the ongoing delivery of high-quality teaching and learning in this context. The EIS believes framing the definition by reference to age provides clarity in the application of the Registration Rules in practice.

The consultation paper, however, seeks to alter the definition, departing from an age range approach and instead, purporting to align the definition with 'the professional knowledge and understanding and skills and abilities that underpin the Teaching Qualification' for this category.

The EIS would question this rationale for change and whether the proposed definition achieves this objective. By framing the first part of the definition within the context of early years to primary 7, the age basis which it purports to remove is, in reality, retained. However, for the limited purposes outlined

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<sup>4</sup> [GTCS Becoming a Teacher v3 \(2\).pdf](#)

in the second element of the definition, the age limit is removed. This leaves a confused and fragmented definition and one which will be open to misinterpretation and potential abuse. Under the proposed amended definition, for example, there would appear to be the potential for Primary registrants to teach elements of the BGE in the Secondary sector, which would run counter to the recent Court of Session ruling<sup>5</sup> that teachers should be employed to teach within the sector for which they are registered.

The lack of clarity around the proposed definition is also exacerbated by the confusing terminology used in reference to the curriculum. The definition provides that a teacher registered in this category 'is qualified to teach the entirety of the early learning and childcare and primary curriculum from early learning and childcare through to primary 7'. The EIS would question what is intended by reference to the 'early learning and childcare curriculum' and the 'primary curriculum'. There is one curriculum, Curriculum for Excellence ('CfE') which provides the framework for learning from 3-18 years. References which seek to impose arbitrary limits within this framework distort the principles underpinning the CfE and fail to recognise the importance of tailoring learning to the needs of the children involved.

There are five curriculum levels in the Broad General Education ('BGE') of CfE and whilst notionally, second level extends to Primary 7, it is widely accepted that this is a general guide and that learners will progress at their own pace through the different levels. The curriculum is designed to be flexible to allow careful planning for those children with additional support needs, including those who are exceptionally able or who have specific talents in particular curricular areas. The reference to 'primary curriculum' fails to recognise this and may be interpreted as restricting delivery to the second level. This approach fails to recognise that in meeting the needs of all learners, a teacher in the Primary category may be delivering aspects of the curriculum beyond the second level and such a restrictive definition would therefore be contrary to inclusive practice.

This restrictive interpretation of the first element of this definition is juxtaposed with the second bullet point in the definition which seeks to differentiate between the 'primary curriculum' and the BGE. It provides that teachers in the Primary category would be qualified to teach 'literacy, numeracy and health and wellbeing across Broad General Education in other contexts in the interests of specific learners'.

The EIS is concerned that this element of the definition suggests that registrants in the Primary category should teach 'in other contexts in the interests of specific learners'. No further definition is given of what those 'other contexts' would be or indeed, which learners are intended to be the recipients of this provision. If the suggestion that the 'other contexts' would be Secondary ones, then this flies in the face of the distinct Primary and Secondary registration categories which GTCS purposes, and the EIS agrees, should be retained.

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<sup>5</sup> [2021csih013.pdf \(scotcourts.gov.uk\)](#)

Although the definition is drafted in a way which limits the delivery of teaching to literacy, numeracy and health wellbeing across the BGE, it is not difficult to see how this proposed provision could be open to abuse. It would appear to enable Primary teachers to deliver literacy, numeracy and health and wellbeing in a Secondary school. This apparent extension of the Primary registration category is unhelpful, blurring the boundaries between the Primary category of registration and Secondary subject registration. In cases of staff absence or staff shortages, it is not difficult to imagine Primary registrants being deployed to teach English or Maths and perhaps even provide ASN support (under the guise of literacy, numeracy or health and wellbeing) for young people in the BGE. This would be inappropriate both in terms of the experience for pupils who are entitled to be taught by someone qualified in the subject, as well as for the Primary teachers involved, who may understandably have increased feelings of anxiety about working in a context which is beyond the scope of their registration category and therefore their qualifications.

The EIS has long raised concerns about this type of deployment, in particular in relation to ASN teachers, from the Primary sector and has cited non-compliance with GTCS Rules to defend against this approach and protect the quality of educational provision. The current proposal would appear to sanction this poor practice and we could not therefore support the proposed altered definition.

- ***GTC Scotland propose that individuals registered in the category of Secondary Subject Education will be registered to teach:***
- ***their specific registered subject as part of the secondary curriculum across the entirety of the Broad General Education and Senior Phase;***
- ***their specific registered subject in other contexts in the interests of specific learners;***
- ***skills for learning, life and work, interdisciplinary learning and responsibilities for all as part of the secondary curriculum***

Strongly disagree

The EIS would question the need to change the current definition of the Secondary Education category. It is clear that teachers in this category can currently teach young people in the 12 to 18 age range in secondary schools and in addition to the wider responsibilities of all, teach in their specialist subject area(s)<sup>6</sup>. There is clarity to this approach and the EIS is unaware of any issues arising from application of this definition.

We are unclear as to what is meant by the reference to the 'secondary curriculum' in the proposed definition as this does not reflect the flexibility of Curriculum for Excellence and the reality that Secondary teachers will be delivering learning and teaching across all curricular levels within their

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<sup>6</sup> [GTCS Becoming a Teacher v3 \(2\).pdf](#)

subject area.

The definition also refers to the delivery of teaching in 'other contexts in the interests of specific learners'. The consultation does not expand on the rationale for this inclusion or indeed, the types of provision to which this would extend. This again underlines the lack of clarity in the proposed definition and the potential for confusion and abuse on a vice versa basis to that outlined within our objections in response to the previous question.

- ***GTC Scotland propose that individuals registered in the category of Further Education will be registered to teach:***
  - ***their subject or vocational specialism across the entirety of further education;***
  - ***skills for learning, life and work, interdisciplinary learning and responsibilities for all as part of further education;***
  - ***their subject or vocational specialism within the senior phase of the secondary education curriculum as part of agreed school and college partnership agreements where the teacher of further education is contributing to a specific learning purpose and extending the curriculum offer in the interest of learners as part of learners' overall provision of school senior phase education and is supervised by the provider of school education.***

Strongly disagree

The EIS is not satisfied that the consultation document sets out a rationale for departing from the current generalist approach adopted in the category of Further Education ('FE'). At present, lecturers seeking to register in the FE category are not confined to teaching in a subject specialism.

The roll-out of the national registration programme for college lecturers is underway but with routes to registration for all college lecturers still under consideration, we believe that further change in relation to the definition of the category will be unhelpful at this time. It would be better to re-visit this at a later date once the registration programme has been fully embedded.

The EIS believes that there is a need for clarity in relation to the provisions relating to the delivery of teaching by college lecturers as part of the school/college partnership. The draft definition outlined in the consultation document, however, fails to make the distinction between delivery of teaching to school pupils in the college setting and delivery which takes place by a lecturer in a Secondary school.

Where delivery involves the young person attending a college campus, there is no requirement for the lecturer to be 'supervised' by a schoolteacher. However, where a lecturer is attending a Secondary school

with the purpose of delivering learning and teaching in a specified subject area or is teaching remotely to learners who are present in a school building, the lecturer should be 'supervised' or accompanied by the provider of school education, a requirement which we understand is rooted in legislation.

In our view, the consultation document (in footnote 3) erroneously seeks to explain the requirement for supervision in this context, stating:

*'Such a supervision requirement reflects the fact that those registered in further education are not qualified to cover the same range and depth as teachers of school education with respect to aspects such as meeting senior phase learners' needs and GIRFEC understanding. Where a college lecturer is not registered with GTCS Scotland, direct supervision by a registered teacher of school education is required'.*

College lecturers are familiar with GIRFEC principles and safeguarding procedures from their experience of teaching a wide range of learners within the college context. Rather, we believe that this requirement for 'supervision' is rooted in legislation and child protection principles. Section 1 of the Education (Scotland) Act 1980 and section 2(1) of the Standards in Scotland's Schools Act 2000 place a duty on local authorities to secure an 'adequate and efficient' provision of education for their area. In discharging this obligation, Regulation 4 of the Requirements for Teachers (Scotland) Regulations 2005 provides that the education authority will 'employ only a registered teacher as a teacher'. Registration in this context is defined as being with GTCS. College lecturers are not *employed* by the local authority and cannot therefore discharge the statutory duty in relation to the provision of education in the school context. Furthermore, applying GIRFEC principles and the obligations placed on schools and local authorities to safeguard and promote the welfare of children under the Children (Scotland) Act 1995, it is clear that all visitors to a school, including college lecturers, will require to be supervised by the class teacher.

Footnote 3 in the consultation document further confuses the position as it suggests that those college lecturers who are registered with the GTCS could teach in schools without supervision. This would not only appear to be contrary to the statutory provisions highlighted above but would also appear to be contrary to the recent Court of Session decision<sup>7</sup>, which reinforced the GTCS position that registrants should only be employed in the sector for which they are registered.

The EIS therefore believes that when college lecturers are delivering teaching in a school, they should be 'supervised' or accompanied by a GTCS registered teacher. These arrangements should be in place, regardless of whether the college lecturer is registered with GTCS. With the roll-out of mandatory registration for college lecturers, college lecturers will be GTCS registered but will be registered to work in a different sector.

Reference is again made in the proposed definition to the 'secondary education curriculum'. This is inaccurate, unhelpful and will only serve to confuse the registration categories.

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<sup>7</sup> [2021csih013.pdf \(scotcourts.gov.uk\)](#)

- ***The proposed change is to cease the existing category of Additional Support Needs.***

Strongly disagree

The EIS has concerns about the removal of ASN as a registration category, as this may be perceived as a diminution in the status of the role. We would not support any arrangement that would seek to deny the need for ASN specialism in the context of the policy of presumption of mainstreaming, which states that all teachers are teachers of young people with additional support needs. While this is true, it is untrue to suggest that additional support needs specialism is not required. Such a stance is resulting currently in essential specialist support being unavailable for young people in school due to budgetary constraints, this impacting negatively on their learning and wellbeing and on that of children who do not have additional needs; and is also a major cause of work-related stress for teachers.

The EIS has long called for specialism in ASN to be recognised and valued, arguing that this should form part of the career pathways for teachers in Scotland. Whilst we welcome its inclusion within the specialisms identified in the Lead Teacher Framework, recently agreed at the SNCT, we are disappointed that the value of the contributions made by teachers in these roles is not being recognised by the allocation of additional funding by the Scottish Government.

Our concerns would only be alleviated if another more effective mechanism was introduced to capture and value this specialism.

- ***Once on the Register of Teachers, GTC Scotland propose to recognise a teacher's qualifications in additional support needs, and other specialist areas through a process of registration enhancement.***

If the ASN category of registration is removed, agree.

If the ASN category of registration is to be removed, it is vital that the teacher's specialism in ASN is recognised and a process of registration enhancement would seem appropriate. The EIS believes that any altered arrangements should be as inclusive as possible and should enable recognition of relevant qualifications **and** experience.

The EIS agrees that recognition of a specialism in ASN should only be available once the registrant is on the Register of Teachers. This will allow sufficient time for the teacher to develop their practice and pedagogy, prior to specialising in one area. We are of the view that specialism in ASN should stem from a firm foundation of knowledge, skills and experience in teaching more generally, acquired through completion of a teaching qualification and subsequent school experience.

We note that the proposed process of recognition enhancement is solely qualification based. Whilst qualifications may provide one pathway to recognition of this specialism, the EIS believes that account should also be taken of experience of teaching in this area. Many teachers and lecturers will have amassed a wealth of experience in teaching ASN and may be performing lead teacher roles in schools or departmental leads in colleges, without necessarily having undertaken a formal qualification in this area. It would seem perverse not to have some mechanism through which their expertise can be recognised.

We have commented further below on the interface between these proposals for an accredited specialism and the existing professional recognition procedures. The EIS believes that further consideration should be given to recognising both experiential as well as qualified-based routes to developing area specialisms.

Clarification would be welcomed as to whether those currently registered in the ASN category will be deemed to meet the criteria for enhanced registration as an ASN specialist or whether they would require to re-apply to have their application considered.

### **Part 3: Registration Status**

- **GTC Scotland propose that in order to protect the integrity of the Register of Teachers, the status of Provisional (Conditional) registration should no longer be issued.**

Strongly disagree

The EIS is not satisfied that the consultation paper has outlined a compelling rationale to justify the removal of Provisional (Conditional) registration.

The status of Provisional (Conditional) registration was re-introduced in 2015 to provide additional flexibility for registration applicants qualified outside Scotland and in response to the introduction of mandatory registration for the independent school sector, to 'support registration of an existing workforce'.

In responding to the proposals for the re-introduction of this status, the EIS acknowledged its importance in enabling teachers in the independent sector to continue to practise whilst working towards full registration. With the careful monitoring required to ensure that there was no inadvertent erosion of the quality of provision across the profession, we understand that this category of registration has operated effectively to support the registration of teachers in that sector, as well as the registration of teachers qualified outside Scotland. We would, therefore, question what the perceived threat is to the integrity of the Register of Teachers by continuing with this status.

Furthermore, with the introduction of mandatory registration of college lecturers and the potential for the numbers of applicants qualified outside Scotland to increase within this group, the EIS would argue that the need for this registration status is now even more pertinent. Consideration of their current qualifications and experience could enable an assessment to be made as to whether additional or top-up qualifications are required to facilitate the

registration process.

Provisional (Conditional) registration has also successfully operated since 2015 to support lecturers in the Further Education sector to transfer to another registration category. The removal of this status will create a barrier to transition between sectors, which is not addressed in the consultation paper.

- **GTC Scotland propose that the Full Registration (Associate) status is closed and that we review the practical operation of Professional Update to ensure it is fit for purpose.**

Disagree

Without having further information about the proposed changes to the practical operation of Professional Update and the potential impact of those changes, the EIS is unable to comment on the proposed removal of the Full Registration (Associate) status.

We would also require further detail in relation to the impact of the closure of this status on those who are currently registered on this basis.

- **GTC Scotland propose that there are two registration status for the Primary Education and Secondary subject education categories of registration: Provisional Registration and Full Registration.**

Strongly disagree

Provisional (Conditional) registration provides some degree of flexibility for those teachers who have qualified outside Scotland to complete the level of qualification needed to teach in Scotland whilst preserving the high standards of professionalism and practice. The EIS is unaware of any evidence to suggest that the integrity of the Register of Teachers is or has been compromised by the existence of the Provisional (Conditional) Registration status. Careful monitoring has, to date, ensured that there has been no dilution in teaching standards.

Without this registration route, teachers qualified outwith Scotland who do not meet the Teaching Qualification and academic requirements for registration, would have to retrain. For some, particularly if they are a woman and/or if they are from a minority ethnic background and/or from a working class background, the financial costs of retraining would present insurmountable barriers and the experience of these teachers would be lost to the profession. The opportunities, which have been available to teachers qualified outwith Scotland in recent years, such as the completion of a top-up qualification, would no longer be open to them. This seems inequitable and does not foster the inclusive approach to the profession which we would advocate. For these reasons, the EIS believes that the Provisional (Conditional) registration status should be retained both for the Primary Education and Secondary Subject Education categories of registration.

We have also highlighted in the responses above that we believe that this status should be available for those registering in the Further Education

category, where appropriate, after 4<sup>th</sup> April 2022.

- **GTC Scotland propose to broaden the scope of teaching qualifications that meet registration criteria in the category of further education.**

Agree

The EIS welcomes the proposal to broaden the scope of teaching qualifications that meet the registration criteria in the category of Further Education, provided that the process will ensure that admission standards are not diluted. Whilst TQFE is currently one of the recognised qualifications for admission to the register, we believe that the ability of GTCS to recognise equivalent or comparable qualifications will ensure that admission standards are maintained whilst recognising the diverse range of alternative routes into the profession. This provision would also ensure that those who have equivalent qualifications which have been undertaken in recognised Scottish institutions will be given equal access to the Register as those with equivalent teaching qualifications obtained outwith Scotland.

The EIS is, however, concerned about the drafting of Schedule 2, paragraph 3.2. This section sets out the requirements in terms of academic or vocational qualifications which must accompany the equivalent teaching qualification. This is an additional requirement which has been included in the Registration Rules and given the diverse routes into the lecturing profession, we would question why the inclusion of these additional academic or vocational qualification requirements is necessary.

Furthermore, as currently drafted, it is proposed that the applicant seeking registration under the provisions of Schedule 2 must, in addition to a teaching qualification, also hold *'the highest level of qualification available in the UK for their particular subject specialism'*. A list of qualifications is then provided.

This requirement may impose a barrier to registration by replicating provisions which are contained in Annex C of the 2006 Professional Standards for Lecturers in Scotland's Colleges. The CLRWG has already recommended in a report to the Scottish Government that Annex C should be reviewed to take cognisance of and reflect the fact that some experienced lecturers may, through no fault of their own, not have undertaken one of the qualifications in the specified list. The group acknowledged that in assessing entry to TQFE, consideration should not be confined solely to formal academic qualifications obtained but that evidence of the applicant's experience and existing qualifications should be considered and mapped against entry requirements to determine if the applicant had the requisite skills and experience to undertake the TQFE. The proposals in the GTCS consultation paper, however, appear to perpetuate the issues identified as barriers in Annex C and will therefore further impede the registration process.

We would also welcome further clarification as to why this additional qualification in the subject specialism is necessary and whether the reference to obtaining the 'highest level of qualification available' means that if it is possible to complete a degree in the subject area concerned, the applicant would be required to obtain that qualification before they can be registered.

This would seem unfair if at the time of qualification, the lecturer had obtained the highest level of qualification available and in the interim, a higher qualification has subsequently been introduced.

- **GTC Scotland propose that a transitional/grandparenting arrangement is put in place for the onboarding onto the Register of Teachers of the lecturing workforce employed on and prior to 1 April 2019.**

Strongly agree with the introduction of transitional/grandparenting arrangements

Strongly disagree with the date provided

The EIS welcomes proposals to create transitional/grandparenting arrangements to facilitate the registration of those lecturers who are currently in the sector. The adoption of transitional provisions is a well-established procedure and one which was adopted by GTCS when teachers in the independent school sector were required to register.<sup>8</sup>

The current proposal is that the cut-off date for these arrangements is aligned with a date contained in NJNC Circular 03/18, specifically 1<sup>st</sup> April 2019. The rationale given for extending interim registration to this group of lecturers is that there is no requirement for them to ever undertake a teaching qualification whereas lecturers appointed after this date are contractually required to achieve a teaching qualification.

The EIS would question this rationale and argue that in the interest of fairness and equity, the transitional arrangements should apply to all those lecturers working in the sector prior to 4<sup>th</sup> April 2022, the date stated in the consultation document when the new Registration Rules are expected to come into effect.

It is clear from NJNC Circular 03/18 that the purpose of the provisions relating to qualifications is to create a 'professional gateway' for staff employed after 1<sup>st</sup> April 2019. This means that staff employed after this date cannot progress through the pay spine unless they have achieved TQFE. This section of the Circular relates solely to pay. There is no link between these provisions and the contractual requirements for college lecturers to register with GTCS. To seek to link pay provisions with a date for mandatory registration is arbitrary and unfair. If the transitional provisions are intended to be available for those who do not meet the registration criteria for Full Registration and who are employed in the sector, it is unclear why the offer of interim registration cannot be offered to **all** college lecturers employed in the sector at the time of full implementation of the national roll-out, which would coincide with the implementation of the new Registration Rules on 4<sup>th</sup> April 2022. Some lecturers employed after 1<sup>st</sup> April 2019 and before 4<sup>th</sup> April 2022 will not meet current registration criteria and although they have a contractual right to undertake TQFE at some point in the future, it is clear from the work undertaken through the CLRWG that through no fault of their own and as a result of the TQFE backlog in the sector, they are unable to do so at this time. Their position in relation to registration is,

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<sup>8</sup> The Registration of Independent Schools (Prescribed Person)(Scotland) Regulations 2017

therefore, no different from that of lecturers employed prior to 1<sup>st</sup> April 2019. Indeed, arguably they are in a worse position as NJNC Circular 03/18 gives lecturers employed prior to 1<sup>st</sup> April 2019 'priority to enrol' in TQFE over staff commencing employment after 1<sup>st</sup> April 2019.

For these reasons, we believe that the link to the 1<sup>st</sup> April 2019 date is arbitrary and has no correlation to the registration provisions in National Collective Agreements or indeed, in relation to any agreements reached through the work of the CLRWG.

*Interim Registration for all college lecturers employed prior to 1<sup>st</sup> April 2022*  
GTCS has previously argued that there is no other date, other than 1<sup>st</sup> April 2019, to which this form of rationale can attach – there is no deadline date for registration that has been specified legally. We would disagree with this analysis.

In determining the applicable date, it is necessary to look at the status of National Collective Agreements reached at the NJNC, the implications they have had for the registration of college lecturers with the GTCS and the agreements reached through the work of the CLRWG.

*Status of National Collective Agreements reached at the NJNC*  
The National Recognition and Procedures Agreement ('NRPA') sets out the purpose of the National Joint Negotiating Committee ('NJNC'), how the NJNC operates and provides the contractual status of National Collective Agreements reached through this process.

Section 5 of the NRPA deals with the status of National Collective Agreements reached at the NJNC. The second paragraph states:

*'National Collective Agreements reached at the Central Committee or Side Tables will be binding on the Colleges and Unions. The signatories of each of the parties hereto confirm that they have the authority to bind the party that they represent. This Agreement is binding in honour but not legally enforceable. However, any National Collective Agreement varying the terms and conditions of Defined Staff will be legally enforceable'* (emphasis added).

Paragraph 2 of the NRPA makes it clear that 'any National Collective Agreement made by the NJNC applying to Defined Staff terms and conditions of service will be implemented from the date specified in the written agreement.' It goes on to provide that 'terms and conditions of service of Defined Staff issued or agreed by the NJNC, under this agreement take precedence over any locally agreed terms and conditions of service.'

These two paragraphs are the basis for the fact that National Collective Agreements reached at the NJNC have contractual effect, take precedence over locally agreed provisions and are legally enforceable. This latter point was reinforced by an Employment Tribunal Case raised by the EIS after the first NJNC Pay Deal.

NJNC Circular 01/15 National Bargaining – Contractual Effect of National Collective Agreements makes it clear that all National Collective Agreements reached through the NJNC will automatically be incorporated into the contracts

of employment between the college and its staff. All contracts of employment will be varied to reflect this position.

National Collective Agreements reached are, therefore, automatically incorporated within the contract of employment for each individual member of the defined staff group and are contractual in effect.

*Implementation of the May 2019 NJNC Agreement (Terms and Conditions)*

NJNC Circular 03/19 implements the May 2019 NJNC Agreement (Terms and Conditions). The National Working Practices Agreement ('NWP') is an agreed output of the NJNC and is referred to in the May 2019 NJNC Agreement (Terms and Conditions). The NWP incorporates all previous relevant Circulars relating to the May 2017 and November 2017 NJNC Agreements, including NJNC Circular 03/18 which provides, inter alia, for the registration of college lecturers.

NJNC Circular 03/19 provides that the NWP will apply from 1<sup>st</sup> August 2019, with the exception of those national terms already agreed and applied.

*Registration with the General Teaching Council Scotland*

Section 13 (Professional Registration/Development) of the NWP makes provision for the registration of college lecturers with the General Teaching Council Scotland (GTCS). This section forms part of the contract of employment of lecturing staff to whom the NWP applies from 1<sup>st</sup> August 2019.

Section 13 of the NWP provides that 'lecturing staff will require professional registration with the General Teaching Council (Scotland) (GTCS) as per the agreement Circular 03/18.'

*Agreement in relation to the Implementation and Phased Introduction of Registration across the sector*

At the first meeting of the CLRWG on 24 January 2019, Terms of Reference were agreed, which stated that the group would 'provide a timeframe for registration to include, where appropriate, the sequence of any phased registration'. This was in recognition of the fact that all parties had acknowledged at the Round Table meeting between EIS-FELA, Colleges Scotland, GTCS and the Scottish Government on 11 December 2018 that completion of the registration process was not achievable in 2019, as previously anticipated.

The CLRWG then agreed that the contractual provision in relation to registration referred to above would be implemented on a phased basis from 1<sup>st</sup> September 2020. The first group of lecturing staff required to register with the GTCS were those identified by the CLRWG as participating in the initial pilot project at the following colleges:

- Dundee and Angus College
- Forth Valley College
- Glasgow Kelvin College

Data sharing agreements with the relevant colleges were entered into on the basis of this contractual underpinning and this phased approach.

The CLRWG agreed that the registration of all other lecturing staff would continue on a phased basis. The national roll-out of registration for all college lecturers with a TQFE or a recognised teaching qualification is now underway, having opened on 6 September 2021. The anticipated timescale for the conclusion of the registration process of **all** college lecturers is April 2022.

Reference is also made to the agreement of the commencement date of the registration process in the Guidance for the development of College Outcome Agreements 2020-21 to 2022-23. The guidance which was issued by the Scottish Funding Council on 7 October 2019 contains the following statement: *'The Government is supporting the college sector toward registration of its lecturers. Colleges should engage with the General Teaching Council for Scotland (GTCS) on registration to ensure that they have planned the necessary actions to have registration in place within the timescale that is still to be agreed, but which we anticipate to commence by the start of AY 2021-22. Colleges should work with GTCS on how progress can be reported.'* (para 50, page 12)

It is clear, therefore, that the CLRWG has the authority to determine the implementation dates and completion of the national roll-out, on a phased approach, for college lecturer registration, part of the contractual provisions contained in the NWPA and related Circulars.

*Justification for extending the provisions to college lecturers in post on or prior to 3<sup>rd</sup> April 2022*

Having outlined the legal basis upon which registration is progressing and the agreement reached by all key stakeholders in relation to the completion of the national roll-out of registration for all college lecturers, we believe that there are compelling reasons to extend the transitional provisions in relation to interim registration to all college lecturers in the existing workforce. With the new Registration Rules coming into effect on 4<sup>th</sup> April 2022, we believe that interim registration should extend to all college lecturers in employment on or before 3<sup>rd</sup> April 2022.

To give further assurance to the GTCS in terms of an agreed legal date for implementation of registration of the current workforce, a national collective agreement can be agreed through the NJNC to confirm that all college lecturers employed in the sector on or before 3<sup>rd</sup> April 2022 will be required to register with GTCS by 1<sup>st</sup> December 2022. We have proposed this December date to acknowledge the practicalities involved in registering all lecturers in the existing workforce.

On this basis, interim registration would relate directly to the contract of employment and be premised on employment status.

To set any other date would appear to adopt an arbitrary approach and create artificial boundaries within the existing workforce.

The EIS notes that Rule 5.2 provides that 'a registrant awarded interim registration must meet the criteria for full registration within any time period prescribed in GTC Scotland's Interim Registration Policy'. We also note that in similar provisions relating to provisional registration under Rule 4.2, there is

the facility to extend the time period involved. To ensure parity of approach, we would suggest that provision is made under Rule 5 to allow GTCS to extend the time period for interim registration, where it is considered appropriate.

- **GTC Scotland propose that any lecturer appointed on or after 1<sup>st</sup> April 2019 will require a recognised or validated teaching qualification for entry to the Register of Teachers as a teacher of further education.**

Disagree

As is outlined above, the EIS believes that the transitional provisions should apply to all college lecturers in the existing workforce and in post on or prior to 3<sup>rd</sup> April 2022. On this basis, alternative provisions would govern the registration of lecturers appointed on or after 4<sup>th</sup> April 2022 and not those appointed on or after 1<sup>st</sup> April 2019.

It is acknowledged that there are concerns around granting admission to the Register of Teachers when an individual has no teaching experience or teaching qualification. However, the current backlog in terms of access to the TQFE will act as a barrier to registration for some years to come unless there is significant investment by the Scottish Government.

Recognising the current barriers which newly appointed college lecturers, employed after 4<sup>th</sup> April 2022, will face in terms of progressing their application for registration, we would recommend that a combined multi-agency approach is adopted to provide a solution to these issues and we would propose the following action:

- An NJNC Agreement to be agreed which provides that registration for this group of lecturers is not required until completion of an agreed specified number of teaching hours in a college setting which will constitute sufficient teaching experience for Provisional (Conditional) registration purposes or on successful completion of a recognised teaching qualification, **whichever comes first.**
- Agreement with GTCS that for a limited period of five years.<sup>9</sup>, they will provide Provisional (Conditional) Registration to those who have completed the agreed teaching experience, on the basis that an agreed timeframe has been provided within which TQFE will be undertaken.
- Over the 5 year period, work to continue to address the issues in terms of TQFE as outlined in the report sent to the Scottish Government from the CLRWG in December 2020; regular reviews of the progress being made to address the backlog of TQFE within the sector; and a commitment of ring-fenced resources from the Scottish Government to fund TQFE provision.
- Rules to be revisited in 5 years.

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<sup>9</sup> Five years has been chosen as it is hoped that legislation can be brought forward in the lifetime of this Scottish Parliamentary term which should address any outstanding areas of concern in terms of the registration of college lecturers. This would also limit the period of any perceived risk for GTCS.

- **GTC Scotland propose that there are two registration status for the Further Education category of registration: Interim Registration and Full Registration**

Strongly disagree

The EIS would propose three categories of registration status, Interim and Full, and as outlined in the comments above, Provisional (Conditional) registration for lecturers qualified outside Scotland who may require to complete top-up qualifications and for new lecturers employed after 4<sup>th</sup> April 2022 who meet the required criteria.

We note that the time limit for achieving full registration is to be set out in an Interim Registration Policy. The EIS would welcome further discussion with GTCS prior to the drafting of the policy, to continue the partnership approach in relation to the roll-out of the registration programme and to ensure that the time limits set are realistic and achievable, reflecting the difficulties which lecturers currently face in seeking to access TQFE.

**Part 4: Registration for individuals qualified outside Scotland**

- **To be registered on the Register of Teachers, GTC Scotland propose that individuals who qualified outside Scotland must hold a teaching qualification (meaning they have completed teacher education comparable to that required of a teacher qualified in Scotland) and have academic qualifications as outlined in Schedule 2 of the Rules.**

Subject to the comments made above in relation to the academic or vocational qualifications specified in Schedule 2 in relation to teaching in FE, the EIS agrees that for full registration, the same qualification-based criteria should apply to those seeking registration who qualified outwith Scotland as to those applicants seeking registration who qualified in Scotland.

The EIS believes that it is essential that the high standards of teaching and learning currently applicable in Scotland’s schools and colleges are maintained. It is axiomatic, therefore, that in admitting individuals who are qualified outside Scotland to the Register of Teachers, that their teaching qualifications are comparable to those required of a teacher or lecturer qualified in Scotland and that there is no dilution of standards.

However, it is also important to increase diversity within the teaching profession in Scotland and by changing the Registration Rules in the manner proposed, the EIS is concerned that inadvertently barriers to enhancing and promoting diversity and inclusion will arise.

As we highlighted above, the removal of the status of Provisional (Conditional) registration could result in a teacher or lecturer qualified outwith Scotland having to completely re-train when previously a top-up qualification, gained while being in paid employment, would have allowed them to apply for full registration. The costs of retraining may be prohibitive and adversely impact women seeking to return to the profession after a family-related absence or indeed, those from ethnic minorities. The EIS is concerned about the equality impact of the proposed changes and would recommend that further consideration is given to retaining the status of Provisional (Conditional)

registration. This would ensure that applicants whose qualifications may fall short of the equivalence test, would be eligible for full registration on completion of the appropriate top-up qualification.

- **GTC Scotland then propose that, if the criteria above have been met, individuals who qualified outside Scotland will be placed on the register according to their qualifications in line with the requirements for registration and definitions for each category of registration set out in the Rules.**

Disagree

The EIS has raised concerns about the proposed changes to the registration criteria and the definition of each category of registration above and the same concerns would apply equally when considering applications from individuals who have qualified outside Scotland. There must be parity across the processes.

#### **Part 5: Routes to additional and enhanced registration**

- **GTC Scotland propose that there should be an Additional Registration Framework to allow a registered teacher to add another category to their registration. This framework should be clearer and more accessible than the current system for Professional Registration.**

Neither agree nor disagree

The question is unclear. The consultation paper does not specify what a new Additional Registration Framework would contain and whether existing rules which govern the transfer between categories would be changed. Without this information, it is difficult to comment definitively on the merits of a new Additional Registration Framework.

The current system of Professional Registration already provides routes for registered teachers in Primary education and Secondary subject education to add another category to their registration status. These provisions, in conjunction with the use of Provisional (Conditional) registration where an applicant in a Secondary education subject area does not fully meet the appropriate academic and/or foreign residency requirements, provide sufficient flexibility to expand into other registration categories whilst preserving high standards in teaching and learning.

In responding to the mandatory registration of college lecturers, the EIS acknowledges that the current system of Professional Registration would require to be extended to provide routes for college lecturers to other categories and for school teachers to have the ability to register in the FE category.

Whilst these provisions could be collated in one framework for accessibility and clarity, the EIS does not believe that there is any need to change the existing provisions in relation to routes for professional registration, other than to extend them to be inclusive of the FE category.

- **GTC Scotland propose the creation of a qualification-based Accredited Specialism Framework to allow a registered teacher to add area(s) of specialism to their registration.**

Neither agree nor disagree

The EIS believes that professional learning is central to shaping teacher and lecturer professionalism, in building capacity, confidence and expertise and in providing the sense of agency which allows teachers and lecturers to lead learning in their classrooms. Teachers and lecturers demonstrate a high level of commitment to their own professional learning and by applying that learning, engaging in critical reflective practice and responding to the needs of their learners, develop area(s) of specialism. It is appropriate that registered teachers can have their particular area(s) of specialism acknowledged through registration.

This is already possible through the current professional recognition provisions which enable advanced professional knowledge and pedagogical experience, aligned with the Standard for Career-Long Professional Learning, to be recognised.

Whilst the consultation paper states that the proposed Accredited Specialism Framework 'complements existing mechanisms to seek professional recognition', we are unclear why the proposed qualification-based approach cannot be incorporated in the current procedures for professional recognition. The consultation document does not provide information on the types or levels of qualification which would be accepted as part of this accreditation procedure and fails to make links with the Professional Standards and Professional Update.

There is also the danger that if a distinct Accredited Specialism Framework is established based solely on qualifications that this will create a two-tier system with experienced-based specialism potentially being undervalued.

The EIS is also concerned by the reference in the consultation document to employers using the accredited specialism designation 'to identify teachers with the necessary expertise and experience that they may require in particular specialist contexts'. Firstly, we believe that applying to be accredited or recognised in an area of specialism is a decision which rests solely with the teacher or lecturer. It is linked to their Professional Learning and Development and as such, should be self-directed and free from external influence. We would be concerned about any suggestion that individual decisions to undertake such learning were being influenced by the actions of the employer, particularly in relation to the imposition of additional selection criteria in recruitment or development opportunities or where there is a shortage of teachers in a given subject area. This should not be the driving factor for completion of specialist study. Secondly, unless parity of esteem is given to experienced and enquiry-based routes to achieving a specialism, then the two-tier system which is referred to above could apply in recruitment contexts which would be inappropriate and unfair.

The EIS believes that any Framework created to acknowledge area(s) of specialism should, therefore, include the experience and enquiry-based

approaches currently valued through professional recognition. There may be some merit in combining the professional recognition and the qualification-based accredited route into one framework to ensure that both routes to specialist experience and knowledge are equally valued and recognised.

We also note that the requirement to renew professional recognition after a period of five years has been removed from the draft Rules. We would welcome confirmation that such renewal will, therefore, no longer be necessary.

- **GTC Scotland propose amendments relating to the Professional Standard for Headship, including an additional Schedule 3, to ensure the Rules reflect current practice, routes and recognition of Professional Standard for Headship.**

Agree

The EIS would recommend that application of the equivalence provisions in assessing headship qualifications achieved outside Scotland is monitored closely to ensure that there is no dilution in standards.

#### **Part 6: Maintaining registration**

- **GTC Scotland proposes that the Registration Rules detail the obligations and requirements for registrants in maintaining their registration.**

**These obligations and requirements are:**

- **participating in a system of ongoing professional learning, review and development (Professional Update);**
- **notifying GTCS without delay, if they:**
  - **have been charged with or found guilty of a criminal offence;**
  - **are subject to disciplinary or fitness to practice processes with another professional or regulatory body;**
- **notifying GTC Scotland that they have changed employer, name and/or address and any other changes or amendments required to their registration record;**
- **remaining a member of the PVG scheme and provide updates to GTC Scotland as requested.**

Agree but disagree with the requirement to notify GTCS when a registrant has 'been charged with or found guilty of a criminal offence'.

The Register of Teachers must be accurate and based on current information. It is, therefore, appropriate that registrants should be required to inform GTCS of any relevant changes in their registration details.

The EIS is not, however, satisfied that a requirement should be introduced which requires a registrant to notify GTCS when they have been charged with or found guilty of a criminal offence. There are already mechanisms in place to ensure that GTCS is advised of criminal convictions, through the police and Disclosure Scotland. It would not, therefore, be necessary for individuals to be

required to alert GTCS also. Equally, the requirement for registrants to report a charge when there has not yet resulted in a conviction (and one may never come) is onerous. Furthermore, if this proposed requirement were included in the rules, then registrants who were not aware of the new obligation to self-refer could find themselves in a situation where a further allegation is made against them (i.e. that they have failed to notify the GTCS of a charge or a conviction). Such allegations could be unfair and could be avoided if this new requirement were not included.

Whilst the draft Rules replicate the existing provisions which allow GTCS to remove a teacher's name from the Register, the EIS notes that the provisions contained in Rule 14.4.3 extend the grounds for removal. Rule 14.4.3(f) introduces a sweeping provision which provides that GTCS can, in any circumstances not specifically provided for in the Rules, remove a teacher from the Register 'if GTCS reasonably consider this removal to be appropriate'. This new addition to the Rules is not specifically mentioned in the consultation document. This provision lacks specificity and given the consequences of removal from the Register- i.e. threat to livelihood- gives insufficient notice to registrants of potential circumstances which could result in a loss of livelihood. We fail to see the need for its inclusion and would recommend that it is deleted from the draft Rules.

Rule 14.4.3(d) deals with situations in which a teacher or lecturer holds interim, provisional or provisional (conditional) registration and allows the GTCS to remove them from the Register if they *have not* gained full registration and/or met the specified condition(s) 'on **or before** expiry of the time limit prescribed by GTC Scotland for doing so' (emphasis added). The EIS would question the fairness of removal before expiry of the time limit. This seems premature and in light of the consequences of removal-again, threat to livelihood - we would question whether such action could be justiciable.

In relation to the requirement to provide PVG updates when requested, we would recommend that this is on cause shown and for a specified reason, perhaps related to the Fitness to Teach procedures.

We also note the correlation between Rule 7 and Rule 14 in the draft Rules. Rule 7 makes reference, inter alia, to registrants notifying the GTCS of a change of employer. However, this is not replicated in draft Rule 14 which gives the GTCS authority to remove the registrant's name from the Register. It would seem, therefore, that there is a requirement to notify but no consequence of failure to do so, as currently drafted.

We also note that the requirement to participate in Professional Update ('P.U.') has been moved from a distinct stand-alone provision in the current Rules to form part of the requirements to maintain registration under new Rule 7.

Whilst we believe that a commitment to ongoing professional learning underpins the professionalism of the teaching profession, it must also be acknowledged that for some teachers and lecturers, the impact of the pandemic has had a disproportionate impact on their ability to complete this process. For others, who are on insecure or fractional contracts, accessing quality professional learning may also have proved challenging at this time. In

such circumstances, it is our expectation that GTCS, together with employers, will put in place supportive measures to enable the teacher or lecturer to engage fully with the P.U. process, having due regard to individual circumstances and the lengthy period of heightened disruption experienced over the last twenty months. Outwith the context of the pandemic, we would expect GTCS and employers to continue to do all that they can to enable and support teachers and lecturers who might experience difficulty in engaging with the PU process, to do so.

### **Part 7: Registration Review Process**

- **GTC Scotland propose that a registration review is no longer referred to the panel process and instead a formal internal review process will be followed as detailed in the Rules.**

Strongly disagree

The EIS has significant concerns about proposals to remove the panel process and replace it with a formal internal review process.

The current review procedure is detailed in Schedule 3 of the Registration Rules 2015 and begins by making explicit reference to the overriding objective of enabling panels to deal with cases fairly and justly. It makes it clear that cases should be dealt with in a manner which ensures that all parties can participate fully in proceedings, in an informal and flexible manner. Crucially, the applicant has the right to make oral representations, to submit evidence, call witnesses and be represented by a solicitor or trade union or defence organisation.

The proposal to remove the adjudication of these reviews from Panels would detract from the transparency of proceedings and the right of the applicant to make representations in person at a hearing. We would question whether the new procedure would conform with Article 6 of European Convention on Human Rights. In the determination of civil rights and obligations, Article 6 makes provision for 'a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law'.

Replacing the current hearing system which affords the opportunity for direct oral representation to a Panel (governed by principles of justice and fairness) with a review procedure by an officer employed by GTCS detracts from the rights of the applicant to have important decisions independently reviewed. Given the potential impact of the decisions under review on the employment of applicants, the need for a transparent, independent and fair process is even more evident.

### **Part 8: Information contained on the Register of Teachers**

- **GTC Scotland propose to refine and modernise the information that is held on its register, retaining current and previous employment information to enable GTC Scotland's regulation function and better support election processes.**

Agree

Schedule 1 of the draft rules lists the information that will be retained on the

register, stating, 'Information is only held where it is relevant and applicable to the Registrant'. It would seem unlikely that all previous contact details and employment information, which is what Schedule 1 states will be retained, would be 'relevant', especially when updated contact details have been provided.

In relation to a record of previous employers, the EIS accepts that for regulation purposes, it may be necessary to retain this information. However, we would recommend that this is restricted to a period of five years.

Moreover, any retention period would require to be reasonable in terms of GDPR and justifiable.

### **Part 9: Additional modernisation and update**

- **GTC Scotland is committed to ensuring equality, diversity and inclusion in all its work. Please tell us if you consider that any of the proposals for the new Registration Rules, as set out in this consultation, will create any equality, diversity and inclusion impact(s) – positive or negative – on any individuals who may be affected by or utilise the rules.**

The EIS has highlighted the potential negative impact on equality, equity, diversity and inclusion of proposals to abolish the category of Provisional (Conditional) registration and of limiting the transitional or grandparenting provisions of interim registration to a narrow section of the existing workforce of college lecturers.

The EIS believes that these proposals are likely to impact negatively on the diversity within the profession and that new procedures, which would add barriers to registration routes for women returning from periods of family related absence, will have adverse consequences in terms of equality.

- **Please share any additional comments you may wish to provide GTC Scotland on the proposed amendments to the current Registration and Standards Rules 2015.**

The EIS had hoped that the GTCS would have used this opportunity to introduce greater flexibility in the collection of fees, making provision for the option of members to pay by instalments. This is a particular issue for part-time staff, that majority of whom are women, who may find that a large proportion of their monthly income is subsumed by a one-off annual subscription payment. We would recommend that consideration is given to this issue and the option provided to pay the annual subscription in monthly payments.

- **GTC Scotland are committed to listening to views about our work. If you would wish to continue the conversation about the Rules, please leave an email address below, which we can use to contact**

**you. It would be helpful if you could detail the area/s you are particularly interested in discussing.**

The EIS would be willing to continue dialogue in relation to proposed changes to the Registration Rules and would be happy to elaborate further on the issues raised in this response.

December 2021

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## **EIS Submission to the Muir Review November 2021**

1.1. To what extent do you agree or disagree with the following statement?  
The vision for Curriculum for Excellence reflects what matters for the education of children and young people in Scotland

Please select from  
dropdown

Strongly Agree

1.2. What do you think should be retained/and or changed?

### **Commitment to social justice, equity and equality**

The EIS is clear that the commitment to social justice, equity and equality that underpins the vision for CfE, and that is the bedrock of the system of comprehensive education in Scotland, should absolutely be retained.

The curriculum must be framed in such a way as to reflect the shared ambition of achieving greater societal and educational equality, as reflected in the Professional Standards for teachers; through the consensus that has formed among all stakeholders with a key interest in Scottish Education; and the rhetoric at least, of all political parties.

### **The Four Capacities**

The four capacities of CfE capture the intention of realising the human right to education and preparing young people for democratic citizenship. It is critical that these are retained, though with clarity that the capacities co-exist in equal measure to one another. There has been a tendency to prioritise being a 'successful learner' over the remaining three, which somewhat undermines the intention to support young people to become wholly well-rounded individuals.

Within professional learning for teachers related to the refreshed CfE narrative, in addressing the four capacities, it would be important to include an explicit emphasis on their relationship to critical thinking skills in an era of fake news and misinformation; to tolerance and respect amidst an intensely polarised political climate; and to commitment to sustainability as the planet faces climate crisis.

### **Creativity and Enjoyment in Learning**

The EIS sees it as important that the vision of CfE continues to signal the potential for rich, enjoyable learning experiences for young people. While the vision of CfE is 'permission-giving' of teachers to adopt creative approaches and many young people have benefitted from this since the inception of CfE, the creativity promised by the vision has not been universally experienced. This is in large part due to a combination of lack of proper resourcing and the prolongation of a hierarchical, accountability culture, which combines to undermine the capacity of the teaching profession to develop and maintain the levels of creativity promised by CfE.

For example, there has been a chronic lack of time for collaboration among teaching professionals to support creativity- teachers in Scotland are among the most class-contacted in the OECD.

Similarly, the continuation of large class sizes and overcrowded classrooms, and the physical layout of classrooms and school buildings generally, frequently militate against teachers employing the kinds of creative pedagogies, with emphasis on personalisation and choice, that they would wish to, for the benefit of their learners, who increasingly present with more and more complex additional support needs. Such constraints within and pressures upon, daily professional practice, damage teacher wellbeing and morale, which in turn, impacts, in addition to lack of resourcing, negatively on the learning experiences of learners.

The BGE, especially in Primary, is cluttered with priorities which teachers are under pressure to meet, this too eroding the capacity for creativity, as well as the ability to ensure breadth and depth of learning. A clutter of national initiatives, for example, 'Book Week', 'Eco Week', 'Maths Week', however well-meaning, results in a crowding of priorities that schools and teachers feel pressure to respond to and that place strain on the capacity to deliver breadth and depth of learning.

There is also an over-emphasis within Primary on Literacy and Numeracy, and also on Science, to the detriment of creative and social subjects. For example, art and music are frequently being taught in the context of interdisciplinary learning, with the result that some key skills are being missed and progression in learning interrupted. These trends pre-date Covid and the recovery curriculum which has encouraged a particular focus on Literacy and Numeracy, in large part driven by the demands of NIF accountability reporting and by the promotion of STEM education in pursuit of economic rather than wholly educational objectives.

Within Secondary, the BGE phase, which in spite of the pressures, generally does feature greater creativity, is frequently cut short with S3 pupils, rather than completing the BGE phase, being prepared for qualifications that they should sit within the senior phase, because time is too short in S4 to enable proper coverage of course content.

In the senior phase, timetabling, annual presentation patterns and the associated assessment and exam treadmill, strangle creativity, whilst breadth and depth, and often enjoyment of learning, are sacrificed in place of rushed, superficial learning in preparation for exams.

In addition to the compromises that this forces with regards to breadth, depth and enjoyment of learning, the divergence from the more learner-centred, equitable approaches that characterise the BGE, are displaced by the demands of course coverage within very truncated timescales.

In both the senior phase and the BGE, the expectation to deliver certain narrow 'attainment' outcomes is ever-prevalent, with the perception being that the strength of local authority and school performance and reputation rest on what is reflected by the HMIE inspection scoring system, this in turn resulting in a cottage industry of local authority 'mini inspection' processes.

Rather than being firmly encouraged to adopt more creative approaches to learning and teaching, with stakes in the attainment and accountability drive so high, a more risk averse approach is generally taken by schools and teachers than CfE's original design had intended.

Change needs to be enacted on all of these fronts if the promise of creativity at the heart of young people's learning experiences is to be realised in full.

### **Assessment for Learning and Equity**

The vision of CfE also promises a greater utilisation of assessment approaches that are more learner-centred and more likely to lead to more equitable outcomes for those who have not typically been beneficiaries of the one-off high stakes assessment approach upon which Scotland continues to rely.

The EIS would wish to see the emphasis on formative assessment retained, and the system and the teaching profession genuinely supported and empowered to design and employ assessment strategies in such a way as to better support the learning of all, rather than be fettered by government-driven assessment priorities such as SNSAs within the BGE, and by outdated assessment approaches and curriculum design in the senior phase.

These approaches actively undermine the vision of CfE with regards to assessment:- the key role for formative assessment in the interests of sound learning and greater equity of outcome; and minimal high-stakes summative assessment known to favour more affluent young people (and more recently cited as a source of poor wellbeing by adolescents in Scotland, particularly girls).

The EIS is clear that assessment approaches need to be more closely and consistently aligned with the aims of the curriculum.

### **Teacher Autonomy and Professional Judgement**

CfE encourages teacher autonomy and agency, and respect for teacher professional judgement in relation to curriculum making, pedagogy and assessment.

The EIS believes that this element of the CfE vision should remain intact though is of the view that significant headway remains to be made towards realising this vision. The development of the empowerment agenda is critical to any future progress on strengthening teacher autonomy and continuing to build trust in teacher professional judgement.

Regarding assessment, the CfE vision of trust in teacher professional judgement has been undermined at various stages as reflected by the Scottish Government's introduction of SNSAs and the reluctance of the SQA to relinquish control of quality assurance of results produced via the Alternative Certification Model in 2021 and during this session, even in the event of in extremis public health conditions resulting in exams cancellation. Such approaches by national government and the SQA are at odds with both the CfE vision and the empowerment agenda.

Moving forward with reform, teacher autonomy and professional judgement will be key to avoiding the risk of reform delivering an overly simplistic, top-down, one size fits all approach to curriculum and assessment across curricular areas, and for all learning communities and learners.

The reform process needs to take account of the differences in approach that are required within different curricular and subject areas, and among learners, as articulated by the profession.

## Value of Early Years Education

The EIS is a longstanding supporter of high quality Early Years (EY) education and strongly welcomed the equal inclusion of the 3-5 stage within the 3-18 curriculum and the emphasis on play-based learning throughout the Early Level of CfE. The EIS is fully aware of the wealth of international research, including from the OECD itself, which finds in favour of governments investing well in EY education, firmly featuring a play-based approach, leading to stronger outcomes for children cognitively, socially and emotionally throughout their schooling; and stronger employment and socio-economic outcomes, better physical and mental health outcomes, and more positive contributions to society in adulthood. Critical to ensuring these outcomes, are high levels of qualification and professionalism among the workforce.

In spite of the government rhetoric relating to increased investment in Early Years, while the offer of 1140 hours of free childcare for all 3-5 year olds and vulnerable two year olds is welcome, the EIS is concerned that the value of education within the extended provision is diminishing- for reasons of budget-saving- as evidenced by the 52% reduction in the number of teachers employed within the sector over the past ten years, as a result of austerity cuts. The EIS is clear that 3-5 year olds are being short-changed by the current statutory provision which loosely promises only undefined 'access to a teacher', and for this reason we continue to campaign for the restoration of teacher expertise within the EY context, for the benefit of our youngest learners.

## Section 2 - Curriculum and Assessment

2.1. Curriculum for Excellence provides a coherent progression in the journey of learners (3-18 and beyond) that gives them the best possible educational experience and enables them to realise their ambitions.

Please select from  
dropdown

2.2. Please share what you believe currently contributes to a coherent progression.

CfE design and the associated documentation may reflect the aspiration of coherent progression and the realisation of learners' ambitions but words written on paper are not sufficient to achieve such goals or 'the best possible educational experiences' for young people.

Resourcing is critical to this and, unfortunately, whilst the ambitions of CfE are large, funding for Education has fallen far short of what is required to achieve these ambitions over the lifespan of CfE to date.

For this reason, transitions at critical points in the learner journey are not as smooth as they should be.

## Early Years Transition

Where Early Years (EY) education is valued and appropriately funded by local authorities, EY to Primary transition processes can work well, with EY teachers and other practitioners provided time to collaborate with teachers in Early Primary.

However, the disappearance of Nursery teachers- critical bridging professionals- from the EY sector, lack of consistent support within Primary for play-based

approaches, and the introduction of assessment models that clash with a play-based ethos and pedagogy, combine to undermine some of the benefits that the 3-18 curriculum offers by way of EY to Primary transition.

### **Primary Transition**

Whilst logistically in some ways it should be more straightforward for class teachers to collaborate around year-to-year transitions within Primary, this requires time for collaboration. With current class contact arrangements and the excessive workload burdens arising for example, from large class sizes, opportunities for Primary teachers to work together on year-to-year transitions are limited.

Similarly, transition from Primary to Secondary requires to be better resourced. In the past, local authorities were able to employ staff whose roles were dedicated to supporting Primary to Secondary transitions; funding constraints have meant that such posts have largely disappeared and time for Principal and Class Teachers to lead and sustain this work is severely stretched.

### **Secondary Transition**

Within Secondary Education, in addition to issues relating to shortage of time to share knowledge and experiences of working with individual young people, BGE to senior phase transition jars because of the misfit of approaches to learning, teaching and assessment across the two phases of the curriculum. The ethos of the senior phase is very much determined by the assessment demands and associated curriculum design that are legacy from a previous system.

Associated curricular documentation for the BGE and the senior phase appears to have been authored by different personnel, and arguably, is light on reference to research evidence which underpins the respective rationales.

### **Senior Phase Transition**

The roll-out of the DYW agenda has seen school-college transitions work better for some students than others as a result of geography, variable resourcing and effectiveness of local partnership arrangements.

The progression of some young people through their learner journey is hindered by continuing lack of parity of esteem across so-called vocational and academic qualifications, and lack of progression opportunities within some subject areas, often as a result of staffing constraints.

Further compounding the issue is that teachers, including those who specifically support careers education, have had little opportunity to engage in professional learning around the range of qualifications that are on offer from the SQA and other awarding bodies, with a view to building alternative, more coherent, pathways for learners within their school communities.

Professional learning is also required for teachers who wish to offer certain alternative qualification options for their learners but whose initial teacher education, while related, may not have prepared them to deliver specific aspects of new content. In addition to insufficient staffing, lack of confidence among some staff who would be well-placed to deliver alternative options, further limits what can be offered to young people to support coherent progression.

The lack of true personalisation and choice within senior phase pathways due to a lack of resources and to lack of parity of esteem across different qualification types, can see young people pursue courses of study that are not well matched to their interests or their previous learning.

### **ASN Transitions**

ASN transitions continue to be problematic at various points, with lack of resourcing again featuring heavily among the reasons for this. Another issue lies with continuity of support staff provision. Whilst children with additional support needs often receive support within Early Years and throughout Primary from the same support staff team, when they are transitioning to Secondary, the support staff do not move with the child, which can both be emotionally unsettling for the young person amidst a new and bigger learning environment, and interruptive of progression in their learning.

Young people with an ASD or complex additional support needs need enhanced transition support to colleges or adult services, both of which have reduced, causing parents to reduce hours of work to care for those disabled young people and/or the shifting of staffing resource away from other services for people with disabilities- effectively robbing Peter to pay Paul'.

2.3 Please share ideas you may have to improve learner progression across stages and sectors.

As suggested in the previous answer, sufficiency of staffing resource is critical to enabling improvement in this respect.

Dedicated staffing to support transitions at key stages should be in place, not solely for Primary- Secondary transition as was previously the case, but at all stages of transition from one sector to another.

Further to this, additional staffing resource is essential to free up time to enable teachers to collaborate around transitions. An overall reduction on class contact time could contribute to this endeavour but it should be borne in mind that there will be many demands placed upon the time that will be freed up by the 1.5 hours per week reduction recently promised by the Scottish Government. The EIS believes that further reduction to 20 hours of class contact time per week, bringing the teaching profession in Scotland more in line with OECD counterparts, is very much needed to support transitions, learners' progression and many other priorities.

Additionally, as also referenced in the previous answer, relevant professional learning, culture change regarding how different types of learning are valued, better alignment of the BGE and senior phase, and resourcing to enable more diverse senior phase pathways would lead to better outcomes for learners with regards to progression.

3.1. In practice, learning communities are empowered and use the autonomy provided by Curriculum for Excellence to design a curriculum that meets the needs of their learners.

Please select from drop

down

Disagree

3.2. Please share ideas you may have on what is needed to enhance this in future.

Insufficient resourcing inhibits learning communities from meeting the full range of needs of their learners- large class sizes; lack of sufficient ASN support and expertise in school, and of access to external specialist (e.g. EAL, speech and language therapy, educational psychologists) and multi-agency support; the limitations of the physical environment; and lack of time for reflection and collaboration, combine to undermine the gains that could be made from the autonomy offered by CfE.

As previously referenced, the EIS believes that pressure to respond to an array of national initiatives impinges on the ability of school communities to act with autonomy in designing bespoke curricula in the interests of their learners.

The limitations on school empowerment in this regard are further compounded by the fact that the drive around such initiatives is often underpinned by an expectation that teachers can deliver everything and anything without appropriate initial teacher education or professional learning.

The same applies with regards to the expectation that all teachers will support the delivery of Literacy, Numeracy and Health and Wellbeing outcomes for learners. This is particularly challenging for Secondary teachers many of whose initial teacher education will not have featured these elements and who have had little access to relevant professional learning in the period which followed these expectations being set.

With this in mind, the EIS is clear that there needs to be much greater investment in quality teacher education that meets the needs of teachers at all stages of their careers, and the requisite time provided to teachers to engage meaningfully in this.

A further inhibitor to empowerment and autonomy is the rigidity and narrowly defined expectations of the inspection process, which are at odds with the wide-ranging definitions within CfE. This disconnect encourages conformity with the perceived expectations of HMIE rather than the exercising of autonomy to create bespoke curricula in response to the needs of school communities. Where schools do seek to do this, they risk 'failure' as judged by HMIE. Within such a culture, too much rests reputationally on the outcomes of HMIE inspection to allow the full benefits of the autonomy promised by CfE to be realised in reality.

To support the genuine empowerment and autonomy of school communities to design curricula that meet the needs of their learners, the EIS would identify the following requirements:

- Investment to deliver smaller class sizes;
- Investment in specialist ASN support in the form of teachers and support assistants;

- Investment in external and multi-agency ASN and GIRFEC support- for example, EAL, speech and language therapy, educational psychology, and child and adolescent mental health services;
- Investment in the school estate to create learning spaces that meet the increasingly diverse and complex needs of learners;
- Proper investment in play-based learning and a move away from assessment approaches that are misaligned with this;
- Decluttering of local curricula supported by less demand/pressure upon schools to respond to an ever-growing suite of national initiatives;
- Support for schools from national agencies on curriculum design that can support a diverse range of experiences and pathways for young people;
- Time for teachers to engage in quality professional learning and collaboration around curriculum making to suit the needs of the learners within their school communities, including to take account of the increasingly diverse nature of school communities in Scotland;
- Professional learning to enable teachers to become familiar with a wider range of qualifications and potential pathways in the senior phase and to grow confidence in delivering them;
- Additional staffing to enable the delivery of a wider range of courses/ learning experiences;
- Careful and consistent messaging to parents about the senior phase- what it is for and how it should differ from their own past experiences of upper Secondary school;
- To stop setting school communities in competition with one another- e.g. through inspection scores;
- A progressive alternative to inspection that features practitioner-led evaluation processes.

4.1. The creation of a Curriculum and Assessment Agency will help to address the misalignment of curriculum and assessment.

The misalignment of curriculum and assessments is outlined in the OECD report [Scotland's Curriculum for Excellence : Into the Future](#).

Please select from dropdown

Neither Agree/Disagree

4.2. Please share your views of the potential advantages of establishing such an Agency.

The extent to which the current misalignment of curriculum and assessment will be addressed by the creation of a new body is wholly dependent on how such an agency will be configured- its underpinning values, its vision and aims, and the extent to which these are held and shared by the staff who will work within the organisation.

The creation of such an agency presents a much-needed opportunity to do things radically differently and better, but the extent to which the opportunity will be

realised is dependent on the depth of the political courage to act decisively.

The EIS is in no doubt that the time for radical change has come. There is a real opportunity to radically reset what have been quite dysfunctional governance arrangements of the organisation that has responsibility for qualifications in Scotland.

The EIS is of the clear view that, unlike the SQA, any new body must be properly attuned to the needs of and fully accountable to, the teaching profession which supports learners to learn, and within the senior phase, to acquire the knowledge and skills required to achieve qualifications.

The governance arrangements for the new body must be configured to ensure genuine support for the profession in its work with students otherwise the potential advantages derived from the creation of the new body will be lost.

In establishing any new body that would have joint responsibility for curriculum and assessment, clarity would be needed regarding its relationship to the Scottish Government Learning Directorate, from which the SQA in recent years has lacked sufficient independence.

Instead of having responsibility to a government- appointed board, the governance of the new body should be more akin to that of the General Teaching Council, which while reflecting the broad partnership that there is across Scottish Education, is structured to ensure that the majority of seats are held by teachers. This ensures that the GTCS is able to strike an appropriate balance in enacting its statutory functions and responding to the needs of the teaching profession who in turn support Scotland's learners. Similar governance arrangements should be considered for any new body, in the view of the EIS.

The EIS is also of the view that the death knell has been sounded on the unqualified continuation of the kind of high stakes exam-based assessment that has driven the senior phase curriculum for far too long. An alternative model of assessment that is more closely aligned to the ambitions of CfE, that supports learning and teaching, that will better meet the needs of learners and that will enable the delivery of more equitable outcomes, is long overdue.

CfE encourages formative assessment approaches and trust in teacher professional judgement. The SQA has not readily endorsed the same principles. The creation of a new body could offer the opportunity to build on the promise of CfE in relation to assessment practice within CfE, not only within the senior phase but for the BGE, also. The 3-15 elements of the learner journey are outwith the expertise of the SQA so it would be inappropriate from that perspective, also, to over-rely on SQA experience with regards to assessment for the 3-15 cohort.

Finally, the SQA has recently been shown to have been weak on meeting the terms of the Public Sector Equality Duty, hence the intervention by the Equality and Human Rights Commission. The focus on equality and diversity matters within any new body must be sufficiently sharpened across all areas of its work.

4.3. Please share your views of the potential disadvantages of establishing such an Agency.

A potential disadvantage that the EIS can see in establishing a joint curriculum and assessment agency is the very real risk that assessment will dominate the curriculum even more than at present.

If not extremely carefully configured to avoid it, there is a danger that in creating a new agency with combined responsibility for curriculum and assessment, the curriculum for children and young people from ages 3-18 will be entirely shaped by assessment demands rather than by what matters to their development as human beings and as citizens as captured within the four capacities. Assessment could become even more formalised and dominant within the BGE than it is at present, and the senior phase might not be sufficiently reformed to enable the realisation of ambitions of breadth, depth and enjoyment of learning. Curriculum-making (and associated pedagogy) could be further forced to serve assessment (and accountability) agendas and the opportunities for reform missed or even subverted. These are risks that must be avoided.

There is also a risk that SQA and Education Scotland are simply rebranded under the umbrella of a new organisation and the worst elements of each body combined and the new agency given too much power.

Since the inception of the national qualifications, SQA and Education Scotland have struggled to work together collaboratively in support of the teaching profession whose role it is to deliver qualifications. The EIS has been in many meetings in which one body or the other, on learning of the needs of the profession, has pointed to the other as having responsibility for addressing these needs. Rarely has the EIS seen the two organisations combine forces in order to respond to the needs of the teaching profession to deliver qualifications that have been hampered with difficulty since their rushed introduction. It would be difficult to imagine a successful merger of these two organisations, if this were to be among the options being considered.

5.1. The full breadth of existing SQA qualifications play an important part of the curriculum offered by secondary schools.

Please visit the [SQA qualifications hub](#) to see the full breadth of existing SQA qualifications.

Please select from dropdown

5.2. Please identify the main factors, if any, that support a broader range of SQA qualifications being included in the curriculum in secondary schools.

The curriculum should respond to the wide range of interests and talents that all young people have. Secondary school genuinely needs to be for everyone and needs to be responsive to the significantly increased staying on rates that have been the trend for some time now, with only around 10% of young people now leaving school at the end of S4.

With these factors in mind, it is important that schools are able to offer a broad range of learning experiences, courses and qualifications. Importantly, not all learning experiences require to be qualification-based, primarily SQA-awarded, in

order to be valid and valuable.

That said, the opportunity to acquire qualifications is an entitlement of all young people within the senior phase, since these are the passports to future learning and employment.

Although in theory the SQA offers a wide range of qualifications, in reality, schools are unable to make these available for their learners because of limits to staffing; or where courses are being offered at a variety of levels, meaning that content is often vastly different, staffing constraints are forcing multi-level, in actual fact in many cases, multi-course teaching, within the one class.

The benefits of flexibility cannot be properly realised without the requisite staffing levels to support it. In order to offer genuine flexibility to learners, and to avoid scenarios whereby teachers are delivering sometimes even three and four courses at a time to senior phase learners in the same class- significantly more teachers are needed.

As outlined in response to a previous question, teachers, including those who specifically support careers education, have had little opportunity to engage in professional learning around the range of qualifications that are on offer from the SQA and other awarding bodies, with a view to building alternative pathways for learners within their school communities. Time needs to be made available for this.

Professional learning and the time to engage meaningfully in it is also required for teachers who wish to offer certain alternative qualification options for their learners but whose initial teacher education, while related, may not have prepared them to deliver specific aspects of new content.

Where there are courses on offer and staff with expertise to deliver them, the appetite of learners to engage can be an issue because of the lack of parity of esteem across so-called vocational and academic qualifications, with parents often discouraging their children's uptake of courses that hold lesser status.

Whilst an ambition of CfE is to have parity of esteem across all areas of learning, it will remain a challenge for the Education sector to realise this whilst society as a whole largely attributes greater value to and employers pay more for, certain types of employment and the associated qualifications, than others. Such variance in the valuing of different types of work and employment within society continues to reflect structural inequalities in relation to gender and social class.

Finally, simply offering a broader range of qualifications to learners in the senior phase will not suffice in improving the quality of their learning experiences. Timetabling and curriculum architecture on the basis of two-year qualifications, leading to a better-paced, more coherent senior phase, that also features some greater depth of learning, is also critical.

5.3. Please share any ideas you may have on what is needed to enhance the role of a broader variety of qualifications in the curriculum in secondary schools.

As referenced in response to an earlier question, additional staffing and sufficient

time for teachers to become familiar with the full range of qualifications on offer within their subject areas, and the associated SCQF equivalencies, is important. Also needed are the opportunities and time to engage in any requisite professional learning to enable the delivery of qualifications additional to those that are covered within initial teacher education.

To respond to the continuing lack of parity of esteem between different types of learning, some reframing of the narrative with regards to the value of different types of learning experience and associated qualifications is needed. There is still a tendency to place greater value on learning and qualifications associated with progression to university. Not only does this unduly influence many young people to study in a direction that is not closely matched to their interests, it undervalues the learning that is overtaken by those who choose so-called vocational learning options. At least within the context of school education, equal value should be attributed to all types of learning that young people choose to pursue and any associated qualifications.

Also important is that across the suite of available qualifications and within the associated courses, there are sufficient opportunities for learning and aligned assessment, including on an interdisciplinary basis, that are relevant to the needs of life in the 21st century in relation to tackling climate change, addressing growing misinformation, prejudice and intolerance, and responding to digitalisation while upholding the values of democratic citizenship.

Finally, as also previously highlighted, timetabling and curriculum architecture on the basis of two-year qualifications, leading to a better-paced, more coherent senior phase, that also features greater depth of learning, is also critical if the benefits of a broader offer of qualifications and also of non-qualification based but nonetheless valuable learning experiences, are to be offered.

6.1. Technologies are fully and appropriately utilised as a support for curriculum and assessments.

Please select from dropdown

6.2. Please share any comments you may have on the use of technologies to support curriculum and assessments, and what could be done to deliver improvements.

Whilst there have been significant strides taken with regards to digital learning over the past several years, and this progress further propelled by the experiences of the pandemic, the digital infrastructure across the school estate falls far short of what is required for 21st century learning in this respect.

EIS members report that digital hardware and software are often too sparse, often outdated and frequently unreliable. Internet connectivity is variable according to geography and bandwidth. And while teachers have undertaken significant amounts of professional learning to enable the delivery of remote learning across

a range of platforms during the periods of school closure, much more professional learning, and time for teachers to engage in it, is required to bring about further developments.

As we progress through Education recovery and beyond, it will be important to ensure that the learning gained from experiences of digital delivery during the pandemic is built upon with appropriate support for and development of new pedagogical approaches using technology, which can be fully accessed by all learners on an equitable basis. Furthermore, with the right approaches in place, there is significant potential for targeted interventions to complement core classwork for learners from disadvantaged backgrounds and/ or who have additional support needs or who face other barriers to their learning that can be overcome somewhat by the additional use of technology.

That said, the EIS does not believe that technology must feature in all learning experiences and activities. On the contrary, our view is that it should, by design, be absent from much of it, with learners supported and encouraged to interact meaningfully with their peers, their teachers and the other adults who are in the classroom or other learning space with them.

The value of in-person, face-to-face, non-screen-based learning experiences has been absolutely underscored by the episodes of lockdown and school closure. Whilst technology in learning very much has a place within the curriculum, it very much should be kept in its appropriate place as determined by teachers' judgement in matching learning objectives with methodologies and equipment.

A lack of such alignment is evident in SNSAs. The EIS is not in favour of SNSAs and believes them to be of little educational value. That they are administered by computer is just one of the reasons for the EIS's objection to these assessments. We believe this method to be somewhat dehumanising of learners and disrespectful of teachers' professional judgement. Teachers can assess young people's learning more reliably across the range of skills that should be assessed within the BGE without reliance on computer-generated assessment that lacks the balance and nuance of teacher professional judgement.

In relation to the assessment of Literacy, SNSAs are incapable of assessing Writing, having capacity only to assess spelling, grammar and punctuation- a reductionist selection of the most basic of writing skills. In opting for such digitally-based assessment of Literacy, the Scottish Government has allowed its chosen assessment method to displace what should be assessment purpose, and teacher professional judgement of both. A return to a sampling approach such as that featured within the SSLN and advised by the OECD would go some way to restoring the role of teacher professional judgement in aligning assessment to learning and teaching.

Whilst the EIS recognises the value of digital question papers for many young people with additional support needs when they are sitting SQA exams/ assessments, for many, particularly those with certain emotional needs, human readers and scribes are more effective supports. Over the past decade or so, however, with growing numbers of young people presenting with additional needs and a growing number of applications for Additional Assessment Arrangements, and a reduction in the number of staff available to support this volume of need,

digital question papers as a default have been encouraged in lieu of human readers and scribes. The EIS is clear that the type of support that is put in place for individual young people should be matched entirely to the type of need rather than being driven by resourcing constraints.

Finally, in considering further enhancements of the role of technology within the curriculum and assessment approaches, it is essential that there is sensitivity to the stark inequalities that exist with regards to families' and therefore students' digital access and literacy. Unequal access to devices, broadband and personal data, and power supply in homes, between those who are most and least disadvantaged, if not tackled, will further widen the poverty-related achievement and attainment gap.

7. Please share any additional comments you have on curriculum and assessment.

The current misalignment of curriculum and assessment, beginning within the BGE and worsening within the senior phase, is undermining the capacity of CfE to make gains towards greater equity of outcome for learners.

To counteract this, teacher judgement supported by collaboration with colleagues, must be much more influential in determining the nature and timing of assessment to suit the needs of learners in relation to the curriculum that has been shaped for and with them.

Trust in teacher judgement should underpin a desire to enable the profession to shape the necessary reforms to assessment, especially within the senior phase where this is required urgently. With this in mind, consultation with the profession on a subject area by subject area basis is required to determine future senior phase assessment approaches.

Currently in the senior phase, timetabling, annual presentation patterns and the associated assessment and exam treadmill strangle creativity; and breadth and depth, and often enjoyment of learning, are sacrificed in place of rushed, superficial learning in preparation for exams. The best of the Standard Grade experience has been lost to be replaced by N5 courses in S4 which have had imported within them the pressured experience of the 'Two Term Dash' that has always featured within Higher. The consequence is an even greater reliance on key aspects of learning being done outside of the classroom at home where income-related socio-economic inequalities can much more strongly prevail- for example, through very unequal access to personal tutors and/ or other parental intervention.

Standard Grade, whilst perhaps requiring some reform, had many strengths:

- the longer timescale for completion enabled a better balance of breadth and depth of learning; which
- meant less time pressure in relation to course coverage;
- meaning that most of the course could be completed in school where there could be some levelling of socio-economic and other disadvantage for learners;

- offering scope for greater inclusivity within the associated learning, teaching and assessment;
- featuring less risk of students missing out on awards;
- and resulting in greater equity of experience and thereby outcome.

In exploring alternatives to the current unsatisfactory senior phase experience, consideration should be given to how these valuable elements of Standard Grade might be restored.

EIS members report that in some school communities, parental attitudes towards assessment can be a barrier to progress. There is often huge parental pressure to focus on attainment at the expense of other purposes of education and the overall quality of the learning experience. Schools and local authorities continue to be reactive to this and to varying degrees, the learning experiences of young people can be diminished overall as a result. This would suggest that there is more work to be done nationally and locally to bring and keep parents as a cohort on board with the mission of CfE.

A resounding message from EIS members is that the focus within the senior phase needs to be on learning first, then on qualifications rather than a narrow and primary focus on exams. Whilst some young people might respond well to and benefit from the exams context, as events they are given too much prominence, and for many other young people, they are a source of anxiety and an assessment scenario that does not enable them to best demonstrate their skills and knowledge.

EIS members also observe that the focus on exam-based assessment undermines the value of qualifications that do not feature exams, and therefore undervalues the achievements of the young people who obtain those qualifications that feature internal assessment.

A further consequence of the disproportionate value that is currently placed upon exams is young people being pressured into doing courses within which exams feature as the assessment approach, and which therefore carry higher status, but which are unmatched to their interests.

Furthermore, the system as set up currently, encourages competition between schools and local authorities on the basis of results- largely in relation to exam-based qualifications- this ultimately having a negative impact on learners' experiences.

Although EIS members can see many shortcomings within the current exam-based system of assessment within the senior phase, they are also clear that a shift towards more internal continuous assessment is likely to incur a workload impact that would require additional staffing resource to manage.

In any case, simply altering the nature of assessment will not address the issues relating to lack of breadth and depth of learning- timetabling and curriculum architecture must also be adjusted to enable the realisation of the aims of CfE in this respect.

Turning to Further Education, EIS-FELA members whilst rejecting the extension of

high-stakes assessment, have also cautioned against any move to replicate the competence-based assessment model within many SQA certificated courses in Further Education, which is heavily onerous and has led to over-assessment of students at the expense of breadth and depth of learning within CfE, and is incurring of significant workload pressures for both lecturers and students.

EIS-FELA is also of the view that the professional judgement of lecturers, based on evidence gathered throughout the course, must be enhanced to reduce the assessment burden, this requiring increased professional trust in and enhanced levels of professional autonomy for, lecturers.

### Section 3 - Roles and Responsibilities

8.1. There is clarity on where the responsibilities for the strategic direction, review and updates for Curriculum for Excellence lie.

Please select from dropdown

Disagree

8.2. Please indicate where you think the responsibilities for the strategic direction, review and updates for Curriculum for Excellence should lie.

Strategic direction should be agreed through strong collaboration and partnership between the teaching profession and government, local authorities and academics, involving the views of learners, parents and the wider community, ensuring that the voices of under-represented groups are included.

The Scottish Education Council could be rebalanced to enable such collaboration and partnership working.

Care must be taken to ensure that the Scottish Government Learning Directorate does not exert undue influence over the process of setting strategic direction. Any direction should be articulated in the broadest of terms, with school communities having autonomy to determine their own strategic direction within the parameters discussed and agreed through collaboration nationally.

Co-ordination of reviews, updates, etc. could be done by the Scottish Government but with teacher voice to the fore in all aspects. For example, within the current review process, it is an error of judgement that teacher voice is largely missing from the Expert Panel. Whilst there is a Secondary HT voice, this is not representative of the class teacher perspective from within any sector. As well as the omission of the class teacher perspective from any sector, ELC, Primary and ASN practitioner voices are completely missing from the Panel. It is critical that teacher voice from all career stages and sectors is involved in shaping the decisions related to the reforms which will fundamentally affect how they go about their work.

Local review and update processes, again featuring teacher voice prominently,

should also be established. Any review process has to be manageable for the system and for the teaching profession. The provision of sufficient time for the profession to engage meaningfully in setting strategic direction and in review, is crucial, as understood from past experiences of curriculum and assessment reform. Curricular initiatives are too often imposed on the profession in timescales which do not allow for collaborative approaches or the achievement of practitioner “buy-in”. To achieve this, there should be consultation with the profession regarding the timing of reviews and how best to conduct them in a way that will assist the profession.

9.1. There is clarity on the roles played by national agencies and other providers for responding to needs for support with curriculum and assessment issues.

Please select from dropdown

9.2. Please share which aspects of the support currently provided by national agencies and other providers is working well.

### **Education Scotland**

The EIS national body has experienced much good collaboration with Education Scotland colleagues on aspects of professional learning over a number of years- for example, on Tackling Bureaucracy, Empowerment and more recently on the EIS PACT Project.

Regarding Education Scotland support for practitioners, some EIS members have reported that they have found some curriculum and assessment guidance documentation provided by Education Scotland to have been useful.

Some members have also highlighted that aspects of the professional learning programme offered by Education Scotland have been useful, in particular those in respect of leadership learning.

Members have commented that they consider Education Scotland’s communication with the profession about its professional learning offer to have improved during the course of the pandemic, with more information about the professional learning offer being shared directly with schools and teachers rather than being targeted to local authorities for onward distribution.

### **SQA**

EIS members have found much of the Understanding Standards material and related professional learning provided by the SQA to be useful, and have welcomed the extension of the offering through online webinars, these pre-dating the large scale shift to online engagement brought about by the pandemic.

Members are also positive about the quality of the support that they receive from SQA appointees locally.

9.3. Please indicate where you think greater clarity is needed in relation to the roles played by national agencies and other providers for responding to needs / requests for support with curriculum and assessment issues.

### **Scottish Government Learning Directorate**

At the macro level, greater clarity of roles is needed with regards to the Scottish Government Learning Directorate which although staffed by civil servants whose expertise while valuable, is almost exclusively non-education based. Yet the Learning Directorate often determines the needs of the teaching profession and thereby the needs of learners, without consulting fully with and/ or listening to the views of either.

For example, it was announced that SNSAS would be introduced in spite of a large groundswell of opinion within the Education community, including that of the EIS on behalf of 80% of Scotland's teachers, advising against this.

Similarly, without any consultation with the teaching profession regarding senior phase assessment within session 2021-22, the Scottish Government announced that the planning assumption would be an exam diet.

And most recently, pre-empting the outcome of this Review, the Scottish Government announced that exams would continue to feature within the senior phase assessment in some form.

At the same time, the Scottish Government expounds the rhetoric of school empowerment and teacher agency, and directs Education Scotland to review the extent to which local authorities are upholding and progressing the principles of both.

The role of the Learning Directorate must, therefore, be clarified and made transparent as a feature of any reform.

### **Education Scotland**

Regarding the separation of Education Scotland's scrutiny and support functions, the EIS would question the lack of ambition within such a reform. There is an opportunity to respond to the resounding opinion of the teaching profession and make radical change with regards to how improvement is driven nationally, locally and at school level.

EIS members do not consider inspections to be generally helpful in supporting schools or colleges in relation to curriculum and assessment- or any other aspects of education delivery. Members have reported that advice given in the course of inspection activity is often conflicting and confusing, and is often seen to be out of touch with the identities and priorities of school communities.

Seemingly underpinned by a lack of trust in the teaching profession, amidst the development of the empowered schools agenda, the current inspection model looks to be anachronistic and very out of place.

Finally at the national level, since the inception of National Qualifications, Education Scotland and SQA have each sought to pass responsibility for curriculum and assessment support to the other, leaving a void in many cases.

### **Gaps in Support for Schools**

At the local level, greater clarity is needed on who is performing the support function for schools that was formerly carried out by Learning Teaching Scotland

(LTS), the Scottish Consultative Council on the Curriculum (SCCC) and local authority advisory services. Collectively, these organisations provided curriculum guidance, associated advice on pedagogy, teaching resources and professional learning in support of schools and teachers. There has been a significant erosion in the quality and quantity of such support to the teaching profession since their disbandment.

Whilst Regional Improvement Collaboratives (RICs) were heralded as an outcome of the 2018 Governance Review to be the solution to the problem, the benefits that some RICs have brought have not been universally felt across the country. Another kind of postcode lottery has developed.

To a large extent, the gaps are being filled by commercial enterprises- for example, websites providing teaching resources and which require paid subscription, often funded by teachers themselves. Not only should such creeping commercialisation of public education be resisted in principle, the quality of some of the resources purchased is poor and teachers can be open to criticism for using them.

The profession needs to have access to teaching materials and associated advice that are reliable and trustworthy, as characterised the support previously provided by local authority advisory services, LTS and the SCCC.

This material needs to be provided in a timely fashion, with support agencies retuned in and responsive to, the needs of the profession, especially in relation to areas of the curriculum that might carry some sensitivity and where teachers might lack confidence- for example, with regards to certain equality areas.

10.1. There is clarity on where high quality support for leadership and professional learning can be accessed to support practitioners.

Please select from dropdown

10.2. Please share any comments you may have on support for leadership and professional learning.

EIS members have reported that routes to access professional learning across a range of subject areas, including leadership, provided by Education Scotland, are becoming clearer, and suggest that to some extent, this has been helped by the shift towards more online activity over the course of the pandemic.

That said, there remains room for improvement regarding the flow and accessibility of relevant information to class teachers. The Education Scotland website remains challenging for many to navigate so it is therefore time-consuming to locate certain information and time is a resource that is in short supply in schools.

EIS members who teach certain subjects, for example, practical subjects such as Design and Technology, have highlighted that there are gaps in the provision of

professional learning activities and material relevant to learning, teaching and assessment within their subject area.

Our members have also highlighted that Education Scotland's professional learning offer has been light on input regarding curriculum making which was identified by the Priestley report as a fundamental requirement for the success of CfE.

Prior to the Governance Review of Scottish Education, SCEL as an organisation was functioning well as a source of leadership-related professional learning. In the view of the EIS, the move to site SCEL within Education Scotland made little sense. Consideration should be given to how the ethos and governance of SCEL might be a model for the new bodies that emerge from the current review process.

11.1. There is sufficient trust with all stakeholders, including children, young people, parents & carers, so they are genuinely involved in decision making.

Please select from dropdown

Disagree

11.2. Please share any ideas you may have on how trust and decision making can be further improved.

The EIS as Scotland's largest teaching union and professional association is the predominant voice of the teaching profession in Scotland and as such is invited to be part of and plays an active role in, many national working groups across a range of issues affecting Scottish Education.

Although involved in many of the groups that the Scottish Government sets up with the declared intention of aiding its decision-making, experience has shown that the extent to which the views of teachers as represented by the EIS are taken on board, is often dependent on the resource implications, such as in relation to the creation of new Career Pathways and on work associated with additional support needs provision. The extent to which views are taken on board is also dependent on political expediency- such as the introduction of SNSAs; the handling of Covid safety in schools; and the recent announcement of the recommencement of scrutiny activity amidst an ongoing pandemic yet rhetoric around empowerment and the centrality of teacher wellbeing to the recovery agenda.

The handling of the latter examples has landed significant dents in the trust of the teaching profession in the Scottish Government and Education Scotland.

The reputation of the SQA amongst the teaching profession is in tatters as a result of the organisation's handling of the national qualifications since their inception; and, more recently, the use of an algorithm to overturn teacher professional judgements, impacting most negatively on young people from the poorest backgrounds, and the attempt to shift responsibility for the handling of appeals to teachers and schools in the midst of already crippling workload associated with

delivery of the Alternative Certification Model within a significantly truncated timescale.

With this in mind, the EIS is clear of the need for new, more inclusive and diverse, more transparent models of governance that are underpinned by a genuine commitment to partnership which strongly features teacher voice. Scottish Government and national agencies need to demonstrate **how** they listen to the teaching profession rather than simply inviting representatives to be on working groups and advisory boards in order to make it appear that they listen.

Governance arrangements and dynamics need to shift in order that teacher representatives such as the EIS are not merely consulted on an end product, a de facto decision, but must be set to ensure that the teacher voice that the EIS represents is listened to, trusted and is at the heart of the decision-making process from start to finish.

In addition to meaningful involvement in decision-making processes, the EIS would highlight the necessity of greater honesty from Scottish Government about resource availability in relation to the many workstreams that are underway. For example, there is a wealth of evidence pointing to the fact that additional support needs provision is chronically under-resourced; yet there is a lack of honesty from the Scottish Government about this as evidenced by its setting of the parameters of the Morgan Review of ASL to exclude resourcing. The balance of the recommendations focuses on teacher education and development, which while important, is not the reason why many young people's additional support needs are not being met. That the ASL Review largely ignored the critical issue of resources has been met with disappointment, anger and cynicism of EIS members who struggle in classrooms every day with growing incidence and complexity of additional support needs, with fewer and fewer resources with which to respond.

Real rather than lip-service partnership founded on honesty can happen now to help build the trust of the teaching profession in national agencies. For the longer-term, consideration needs to be given as to how Education will be protected from petty party politics. We do children, young people and teachers a disservice if we lurch from one policy position to another dependent on vote-hungry manifesto promises, the outcome of elections and the winners and losers of subsequent parliamentary sparring.

Towards achieving a better future for Scottish Education, and therefore enhancing the experiences and outcomes of children and young people, decision-making needs to emerge from strong collaboration, partnership and mutual trust between those who research the evidence on which education policy should be based (rather than on political whim or expediency), those who formulate the policy, and the teachers and other education professionals who enact it.

12.1. Independent inspection has an important role to play in scrutiny and evaluation, enhancing improvement and building capacity.

Please select from  
dropdown

12.2. Please give examples of how you would like to see scrutiny and evaluation being carried out in future.

The EIS believes that the scrutiny model currently in place is misaligned with the empowerment agenda and, in spite of efforts otherwise, continues to be bureaucracy-heavy and morale-draining for many within the profession, and in many cases, for learners and their families as members of school communities.

Many EIS members find the language of HGIOS to be removed from their experiences as practitioners, with the result that the documentation lacks relevance, meaning and impact in supporting practice.

The bald system of scoring fosters an ethos of competition and fear of failure, rather than of confidence and collaboration; and encourages misinformed critique of how schools and other education establishments are going about their work.

In the very near future, the EIS would wish to see the emergence from co-creation, of a model of practitioner-led evaluation that features professional collaboration and learning across settings, with time invested to facilitate collaborative processes, to enable reflection on the outcomes of such collaboration, and to support any change processes that are required.

Such a model would be founded on the premise that trust in teacher professional judgement extends to the improvement agenda, also, and that teachers as inhabitants of school communities are best-placed to work with learners, parents and other stakeholders within their communities, and colleagues outwith, to determine priorities and the best means of achieving associated objectives. Where they judge it necessary, schools should be able to seek assistance in going about their work from the relevant national agencies.

13. Please share any additional comments on roles and responsibilities in Scotland's education system.

The roles and responsibilities of key national agencies and the remits of staff who work within them are too often created and shaped on the basis of a lack of professional trust in teachers. This needs to change.

In any reframing of roles and responsibilities as an outcome of this Review process, there must be clear and consistent alignment with the principles of school empowerment, collegiate decision-making and teacher agency, otherwise what we will be left with is empty rhetoric and wasted efforts.

Time and resources are essential to enable all within Education to carry out their roles and responsibilities well and with a collegiate approach.

A 'command and control' approach funded by insufficient Education budgets will not enable the teaching profession or the national agencies who should be working to support it, to deliver on the ambitions of CfE: additional investment in time and

resources are critical for its future progress.

#### **Section 4 - Replacing the Scottish Qualifications Authority and reforming Education Scotland**

14. Please share any comments or suggestions you have on this proposed reform below.

We are particularly interested in hearing your views on:

- a) the approach this reform should take (for example what form should this agency take)

##### **SQA Replacement**

Teacher voice must be central to the formation of a replacement qualifications body. It is essential that governance arrangements are configured to avoid the tone deafness to its needs that the teaching profession has experienced from the SQA over a long number of years.

The SQA has largely functioned in a top-down, self-serving way, failing to listen to and respond to the needs of the profession who seek to support learners day to day to achieve the qualifications that the SQA offers.

The organisation's record on meeting its responsibilities arising from the Public Sector Equality Duty must also be taken into account in shaping future change for the better.

Increasingly the SQA has sought inappropriately to exert an influence over the business of learning and teaching, assuming an expertise that they do not have, this particularly in relation to the alternative certification contingencies that have been required during the pandemic.

The power dynamic which has enabled the SQA to wield such unfettered control over the senior phase curriculum and over teacher workload must be quashed, not to be repeated.

For these reasons, and in the spirit of empowerment and genuine partnership, the EIS would wish to see the governance arrangements of the new body as being similar to those of the GTCS, featuring the direct involvement of teachers in the decision-making, through democratic process, thereby delivering accountability to the teaching profession.

EIS members have found SQA appointees- those who are also teachers- to be supportive and helpful. Members have reported that in many instances, SQA staff such as qualification managers have been less accessible to and supportive of, them as professionals.

This marked difference in the quality of engagement with SQA personnel according to their roles and experience should be informative in configuring the new body.

In shaping the new body, it will be very important for all to recognise and bear in mind the deep distrust that the profession holds towards the SQA.

The actions of the SQA have inflicted significant damage upon its relationship with the teaching profession which now largely views the organisation with cynicism and suspicion.

Any new body must be capable of addressing the collision that there currently is between the ethics of the BGE and the senior phase, whether they have combined responsibility for curriculum and assessment or not. If single-responsibility agencies, they must work together collaboratively with others towards meeting this essential objective.

Furthermore, whichever new body has responsibility for assessment, it must be understood that different approaches to assessment will be required depending on the nature of the subject and whether skills or content based.

For example, continuous assessment in the senior phase lends itself better to subjects within which learning is more knowledge-based and compartmentalised. Such assessments can be completed at any point within the course delivery when the requisite learning has been overtaken.

Skills-based subjects often require the scheduling of activities that assess the integration of skills much later in - even towards the very end of- the course. The new body which has responsibility for assessment must be clear that one size does not fit all when it comes to appropriate assessment approaches.

From the outset, the new body must be committed to ensuring much more effective communication with the teaching profession. For some time, SQA communication has been poor on a number of fronts- often unclear, sometimes contradictory, lacking in transparency, difficult to source, and unwieldy in its volume when accessed. This is a barrier to the smooth delivery of courses for learners and adds considerably to the workload of teachers.

Similarly, the excessive bureaucracy that has been baked into SQA processes, largely underpinned by a lack of trust in the teaching profession, must be stripped out and processes appropriately streamlined.

## **Reform of Education Scotland**

In reflecting on the imminent reform of Education Scotland, EIS members have cited the need for a return to the quality of support provided by formerly by Learning Teaching Scotland and the Scottish Consultative Council on the Curriculum.

From such reflections, a view has emerged that the new agency should be staffed in large part by qualified and experienced teachers- on a permanent and seconded basis- who develop good quality curriculum support and resources to be shared with colleagues in schools and other educational establishments.

In terms of governance, concerns about the lack of independence from government need to be addressed. Too often, it can seem that Education Scotland is tasked with carrying out the political bidding of the Scottish Government.

For example, with the introduction of SNSAs, there seemingly was little challenge from Education Scotland to what most of the Education community understood to be a retrograde move. More recently, Education Scotland has been directed by Scottish Government, rather than providing direct support to schools in the course of the pandemic, to carry out local authority reviews related to Covid response measures such as remote learning and ACM implementation, as a means of providing the Scottish Government with data with which to seek to rebut political challenge.

Even the recent publication of Anti Racist Education resources, although welcome, was the consequence of political direction following from Black Lives Matter pressure on the government; when the EIS on behalf of the teaching profession had repeatedly requested such resources over a number of years previously, the response from Education Scotland was that it was not its role to create teaching resources.

The EIS would therefore wish to see governance arrangements that enable the next iteration of Education Scotland to have an appropriate degree of independence from government such that it will be better able to respond appropriately to the needs of the teaching profession.

As referenced in response to an earlier question, the EIS wishes to see a complete re-think of system-wide evaluation towards one that leads to a model that is shaped and led by the teaching profession. To reiterate, inspection is arguably outdated as a model for improvement in the context of empowerment, and is most commonly described by EIS members as a disempowering experience, which frequently fails to get to the heart of a school's endeavour to serve the needs of its community. It is costly in terms of time and resource yet is of very limited value in supporting accurate self-evaluation and informing professional practice.

- b) the opportunities these reforms could present (for example the development of a new national approach to inspection including alignment with other scrutiny functions)

The EIS believes that separation of Education Scotland's scrutiny and support functions should enable Education Scotland to concentrate more fully on supporting schools and colleges in relation to learning, teaching and assessment- indeed all matters relating to the curriculum, including professional learning.

A significant shift in thinking with regards to scrutiny, inspection and evaluation, coupled with significantly enhanced support to the profession could support real growth in the professionalism of and professional trust in, teachers.

Such a rethink would also support a sharper system-wide focus on what matters within the curriculum and young people's educational experiences. A system that supports improvement through growing professional collaboration, trust and confidence- in the real spirit of empowerment- is one likely to lead to lessened scrutiny-related bureaucracy and greater creativity- a key facet of CfE design.

Based on our members', including senior leader members', feedback regarding their experiences of inspection, the EIS believes that a shift to a new model of evaluation of the kind suggested would also help improve the wellbeing of teachers, leading to better learning experiences and associated outcomes for children and young people.

- c) the risks associated with any reform (for example whether the independence of the inspectorate could be jeopardised by change)

There is a risk that a lack of political and system-level commitment to change could result in the same leadership and philosophy within any new organisations created from the reform process, and, at best, a repeat of the same mistakes.

A commonly recurring error committed by government and key national agencies is to introduce change that has significant implications for the professionalism and working lives of teachers, in a top-down manner.

- d) how any risks might be mitigated

The voice of the teaching profession must be at the core of any changes to come.

Before looking to progress the outcomes of this Review, a clear vision for Scottish Education has to be set, in full consultation and partnership with the teaching profession.

Aligned to this vision, there need to be clear purposes agreed and set for the organisations that will support the delivery of Scottish Education on behalf of Scotland's citizens. Again, the role of the teaching profession in such organisational mission-setting will be critical.

The configuration of appropriate governance arrangements as previously outlined should flow from this process.

Thereafter, careful recruitment/deployment of staff with the appropriate values, skills and experience, to carefully defined roles that are aligned to the overarching vision, will be essential. The teaching profession should be involved in recruitment of key posts. Recruitment panels and any staff

involved in any critical aspect of the recruitment process should be trained in equality and diversity in recruitment before any associated process begins.

Once established, new bodies should work in close ongoing collaboration and partnership with the teaching profession, members of which should also be involved in organisational governance.

e) the timescales over which these reforms should take place.

Vision-setting and subsequent governance arrangements could be addressed very quickly following the conclusion of this Review, with a view to the teaching profession having oversight of and a key role in, shaping change.

Thereafter key dates should be set according to the purposes and objectives which flow from the vision, and which should comprise the change strategy. The EIS would wish to see progress towards the realisation of the strategy as soon as is practicably possible without causing any disadvantage to learners or widening of the gaps in the support available to schools.

15. Please share any comments or suggestions you have on how the functions currently housed in Education Scotland could be reformed.

We are particularly interested in hearing your views on:

a) the approach this reform should take (for example which functions should continue to sit within a reformed Education Scotland and are there any functions which could be carried out elsewhere)

Please see answers to the relevant questions above.

b) the opportunities reform could present (for example should more prominence be given to aspects of Education Scotland's role)

Please see answers to the relevant questions above.

c) the risks associated with any reform (for example disruption of service to education establishments and settings)

The main risks that the EIS would highlight in this regard are:

- **Lack of political agreement about what any reform should look like**, leading to more political footballing, the objectives of which do not serve the needs of learners or the teaching profession.
- **The potential for too slow a pace of change**. Many of the issues being addressed within this review are inter-related with other critical issues around resourcing- for example, large class sizes, excessive class contact time, lack of ASN support, assessment overload and

associated teacher workload- and are impacting negatively every day on the learning experiences of young people who attend our schools and colleges now, and on the retention rates within the teaching profession. The longer it takes to introduce change for the better, the more damage will be done.

- **The potential for too fast a pace of change.** There can be a temptation among politicians to wish to be seen to act quickly and decisively and to rush through reform without proper consultation with or involvement by those who will be impacted by it. This has happened repeatedly to the teaching profession over the years- for example, in relation to the introduction of the new national qualifications.
- **Misalignment of the nature of the reform with the key ambitions.** The scale and the spirit of the change need to match the ambitions of CfE, be aligned with the empowerment agenda, be underpinned by a solid commitment, in addition to equity for learners, to equality for all.
- **Insufficient resourcing to enable appropriate reform.** Several responses to previous questions have outlined the EIS view on this.
- **Ineffective communication related to change.** There is a risk of communication around change causing confusion among teachers, learners, parents and the wider public.

All of these elements could result in further voids emerging in terms of support to the profession which is, regardless of what is going on at the macro level, responsible for the day-to-day provision in schools and other education establishments, of education to children and young people.

d) how any risks might be mitigated

Risks can be mitigated through:

- A clear and compelling vision for Scottish education co-created, agreed and protected from cyclical electioneering and daily party politics.
- Sufficient resourcing.
- Effective governance of and relationships between, the organisations that will have a role in enacting reform.
- Careful recruitment/deployment of staff to key national agencies and roles.

e) the timescales over which these reforms should take place.

As outlined above.

16. Please share any comments or suggestions you have on this proposed reform below.

We are particularly interested in hearing your views on:

- a) the approach this reform should take (for example could a function be carried out elsewhere)

So far there has been lack of specificity regarding the announcement of the intention to create a single body with combined responsibility for curriculum and assessment, which makes it difficult to comment specifically on purpose, role, remit and governance.

The merging of Education Scotland's non-scrutiny function and the SQA is unlikely to inspire trust among teachers for reasons outlined previously within this submission.

- b) the opportunities these reforms could present (for example should more prominence be given to an aspect of SQA's role)

As referenced elsewhere above, such reform could facilitate a new model of assessment which is compatible with the aspirations of CfE, it featuring less exposure to formal assessment and more formative assessment that supports learning, as well as an enhanced role for teacher professional judgement. In so doing, such a model would better and more equitably serve the needs of all of Scotland's learners.

As also previously highlighted, there would be the opportunity to establish appropriate partnership working between the teaching profession and whatever emerges as the national body that should serve its needs with regards to assessment.

If framed appropriately, we could see the removal of SQA's anachronistic influence over the nature of assessment and senior phase curriculum design; and a reduction of SQA-related workload, much of which diverts valuable time away from learning and teaching.

- c) the risks associated with any reform (for example loss of income, confusion as to system of awards in Scotland)

Given the longstanding reliance on examinations as the main means of assessing the learning of students undertaking qualifications within their Secondary education, and the anxiety and reluctance of many at the prospect of alternatives, there could be a lack of confidence in/ confusion around an assessment model that did not feature examinations as the course assessment.

- d) how any risks might be mitigated

Such risks could be mitigated by clear, well-timed communications at all stages of the reform process, beginning with meaningful involvement of all relevant stakeholders throughout the change process.

In this context, it would be crucial for the teaching profession to have clarity on any changes in good time to aid planning and to enable teachers and schools to assist in communicating the details of changes to learners and parents. What should not happen as has occurred on many occasions recently with regards to Covid mitigations and details of the Alternative Certification Model, is that the teaching profession receives key pieces of information simultaneous to or even after parents and learners, and often via social media. Such mistiming of comms does not facilitate smooth management of change at establishment level (and is professionally discourteous).

e) the timescales over which these reforms should take place

As previously outlined, the EIS believes that there requires to be an appropriate balance struck with regards to the speed of reform. We wish to see change as soon as possible since existing senior phase curriculum architecture and over-reliance on high-stakes exam-based assessment approaches, coupled with the impact of SQA influence, are currently damaging to the quality of young people's learning experiences, to the mental health of many students, to equity outcomes and to teacher health and wellbeing. Against such a backdrop the need for change is pressing.

At the same time, it will be important that it is timed in such a way as to ensure that teachers can be properly prepared for it and that learners will not be disadvantaged with regards to their learning and achievement of qualifications.

With this in mind, priorities could be staged in such a way as to tackle first the problems that arise from the prevailing timetabling and curriculum architecture models that continue to diminish young people's senior phase experiences.

A move to two-year exit qualifications in S5 for the vast majority of students- circa 90%- who would be in school to undertake them at this point, would be achievable very quickly.

## **EIS response to call for views from the Scottish Parliament Children and Young People Committee on the impact of the Scottish Attainment Challenge.**

The EIS, Scotland's largest teacher trade union and professional association, representing teachers in all sectors of Education and across all career stages, is pleased to respond to call for views from the Scottish Parliament Children and Young People Committee on the impact of the Scottish attainment Challenge.

### **1. What has worked well?**

In an era of generally declining per capita budgets for schools yet increased expectation of what schools will deliver in terms of outcomes, and notwithstanding that the EIS would wish to see different funding arrangements in place than those which currently exist including SAC, additional funding disbursed through SAC, in the absence of other enhanced funding for schools, has been welcome.

The original 9 'challenge' authorities will have been able to use the funding and support from Education Scotland's Attainment Advisers to mitigate the educational damage that poverty does to young people to varying degrees dependent on local and individual circumstances.

The EIS conducted research among its members in Session 2018-19 specifically focusing on the PEF component of SAC. Respondents highlighted numerous ways in which PEF money was being spent by their schools to provide additional support for pupils:

- Purchasing equipment and materials (inc breakfast clubs) 61.23%
- Employing existing teachers for additional hours 33.33%
- Employing existing school support or admin staff for additional hours 33.57%
- Employing additional main grade teachers 19.39%
- Employing additional principal teacher 26.00%
- Employing additional support or admin staff 27.90%
- Employing non-school staff (from the Local Authority) for additional hours e.g. children services worker, speech & language therapist etc 15.60%
- Purchasing additional services from external sources – e.g. sports coaching 3

Additionally, research respondents provided supplementary comment on the specific ways in which PEF funding was being spent:

- to fund school trips and/or outdoor learning
- purchase of a mini bus
- training for staff to deliver new teaching approaches
- provision of tokens for lunches during school holidays
- providing Whole School Nurture Provision with Nurture Room and Teacher
- Employment of Family Support Workers, Outreach Workers, Outdoor Education Workers, CLD staff, and counsellors

- Barnardo's support for pupils and parents

When asked if they thought that PEF funding was raising attainment among the most deprived children and young people, 26% answered yes; 31% no; and 43% said that they didn't know.

Respondents were also asked about their overall perception of the success of the additional PEF funding for their school. Just under half (47%) of respondents thought that the PEF funding had been successfully used albeit that robust evaluation of the projects it had funded had not been possible within such short timescales.

Some specifically commented that whilst increased attainment may not have been evident within short the timescales in which interventions had been set up, for those who had been targeted, social skills, confidence and self-esteem, and attendance had improved.

A number of positive responses also referenced that the PEF funding had been used (contrary to Scottish Government guidance) to 'plug gaps' arising from other funding cuts. This reflects the strain that schools are otherwise under as a result of financial cuts and budget constraints to maintain support for children and young people whose outcomes in school are being impacted by poverty at home and related disadvantage.

The EIS has recently gathered further evidence from members as to the what has worked well in relation to SAC.

In one local authority area, a portion of the funding has been used to support care experienced young people and young people with social and emotional difficulties. Teachers are being employed to work directly with young people in care homes, with a strong focus on learning, providing mentoring and direct teaching, with positive outcomes; whilst young people with social and emotional difficulties are receiving additional direct teaching in SEBN centres. Funding for this provision would not otherwise be available.

In another local authority, SAC funds have been used in part to set up a professional learning academy through which teachers engage in professional learning specifically designed to support and develop children's acquisition of Literacy and Numeracy skills. This was reported to have had a positive impact on attainment until the onset of the pandemic.

Another Authority has also sought to invest in professional learning given the limitations of SAC funding to support systemic change otherwise, and has also invested in family engagement and in the purchase of IT licenses to support different types of digital learning across the Authority.

We understand that a few local authorities have invested SAC funding in virtual learning opportunities for both interrupted learners who struggle to maintain attendance at school and those who have been particularly impacted by school closure during the pandemic.

Members have referenced the benefits of being able to exercise autonomy and empowerment with regards to some spending decisions in ways that best meet the needs of the young people in their school communities, and welcomed the bureaucracy-light approaches that have been adopted in some cases.

## **2. What could improve?**

The EIS does not believe that SAC alone, even now that all local authorities will be in receipt of it, is the best means by which to support schools to reduce the poverty-related attainment gap.

If the Scottish Government is serious about closing the poverty-related attainment gap (aside from tackling the root causes of poverty at source) Education requires significantly more core national investment. The types of intervention that schools have been making on a piecemeal basis using PEF funding over the past 6-7 years, which have in large part sought to restore provision that used to be in place but which has been cut, require to be mainstreamed and permanently factored into core funding arrangements.

This is what's needed to make real shifts in outcomes for children and young people who are disadvantaged by poverty:

- investment in class size reduction to a maximum of 20;
- adequate provision of specialised ASN support in school;
- investment to secure sufficient access for schools to external specialist support provision- Educational Psychologists, speech and language therapist, bilingual support, Social Workers, etc.;
- class contact time reduction to enable teachers to have time for professional collaboration on the relevant pedagogical matters, for ASN planning and review, for those with Pastoral Care responsibilities to work more closely with individual children and young people, for teachers to work more closely with families, particularly those who are vulnerable; and
- as a matter of urgency extension of free school meals to all children and young people at all stages of schooling to counteract the hunger and stigma that thousands currently experience because they aren't included in the current policy offer.

Even with the shift to multi-year funding arrangements which give a degree more security than the original annual awards of PEF, SAC funding is not the means through which essential staffing in the interests of equity should be funded.

Given the long-term negative impacts of poverty, coupled now with the disproportionate impacts of the pandemic on the most disadvantaged families and communities, the funding for Education, including staffing, and the associated workforce planning, ought to be for the very long-term. For example, the Scottish Government has set child poverty targets for 2030 (the realisation of which is in clear jeopardy), yet SAC funding is for the life of this parliament only.

Furthermore, the EIS is deeply concerned about cuts to SAC funding that several

of the original 'challenge' authorities now face. Clackmannanshire, Dundee, East Ayrshire, Inverclyde and West Dunbartonshire will all have their allocations of SAC funding massively cut, this in the context of rising levels of poverty as a result of the pandemic and now a cost-of-living crisis which will further intensify socio-economic disadvantage and resultant educational disadvantage.

In no part of Scotland are things looking up economically. The Poverty and Inequality Commission only last week advised the Scottish Government that it was in danger of missing the interim child poverty targets for 2023, and yet Clackmannanshire will have its SAC funding cut by 62%, Dundee by 74%, East Ayrshire by 61%, Inverclyde by 78% and West Dunbartonshire by 51%, over the next four years. Even for Glasgow where in some parts of the city, more than 1 in 2 children are living in poverty, SAC funding is being cut by almost 10% in the same period.

The EIS anticipates that such reductions will have an impact on staffing resource and capacity to support stronger health and wellbeing outcomes, to strengthen achievement and attainment outcomes, and to help achieve appropriate positive destinations for young people, including care experienced young people, who are already disadvantaged in all of these areas.

A reversal of the decision to make cuts to SAC and thereafter certainty and sustainability of funding would prevent such losses at a time of intensifying need for more support for children and young people whose outcomes are impacted by low income and social deprivation.

Aside from reversing planned cuts, EIS members have offered some further useful insights on areas for improvement in relation to SAC.

One is in relation to accountability drives which mean that schools often invest money in initiatives for which there are apparently easy measures of the outcomes rather than spending on areas for which measures of outcome might be less straightforward but the purpose of the intervention more worthwhile. With this in mind, consideration needs to be given to the review of relevant qualitative data (the kind of which schools gather in any case through formative assessment and pastoral care processes) which takes longer to gather and which is less easily abbreviated to a set of statistics.

Another criticism has been the insufficiency of funds coupled with the failure to grasp the severity of the challenges faced by the significant numbers of young people with additional support needs and by their teachers and support workers who struggle to provide the requisite support.

Finally there could be efforts made in the context of the Empowerment agenda to encourage properly collegiate dialogue and decision-making at school level as to how PEF money and/or any other funds disbursed individually to schools through SAC should be spent. The 2018-19 EIS research found that teachers are not universally involved in such discussions, this underlined by the fact that more than 10% were not only excluded from discussions but unaware of how PEF was being spent in their schools.

### **3. How is the impact of funding measured?**

EIS members have reported this being done in a variety of ways, depending on the nature of the SAC-funded intervention, including through:

- Established quality assurance processes
- Tests of change
- Pupil tracking, including using systems that enable drill-down to relevant individual qualitative data (It is felt in some cases that the amount of tracking and monitoring is disproportionate and burdensome- 'death by spreadsheet' type scenarios)
- Attendance figures
- Benchmarking assessments for Literacy and Numeracy
- SNSAs in some areas

### **4. What has been the impact of the pandemic on attainment and achievement in schools?**

In responding to this question, the EIS would also refer members of the Committee to the EIS submission given in November 2021 to the Committee's enquiry into the impact of the pandemic on the educational experiences of children and young people with additional support needs, including young people who are care experienced. The evidence provided just three months ago remains relevant at least for the almost 30% of children and young people in our school population who have additional support needs.

That there is such significant overlap in incidence of poverty and of additional support needs among children and young people in Scotland is also worth bearing in mind when this evidence is being reconsidered.

Additionally, the EIS would share the following observations regarding the question of the impact of the pandemic on achievement and attainment:

The Covid 19 pandemic has caused a disproportionate number of deaths among people in areas of deprivation. That people living in deprived areas have been almost 60% more likely to die from Covid than the rest of the population (and two and a half times more likely to die than those in the most affluent areas) means that children and young people living in deprived areas are almost 60% more likely to have been bereaved than the rest of the school population.

Being listed as a circumstance giving rise to additional support needs within the ASL Act, it is clearly recognised that bereavement impacts on young people's learning and associated achievement. The implications of this data for the needs of young people living in poverty with regards to school achievement are significant.

Digital exclusion in the context of wider socio-economic disadvantage for individual families has meant that many children and young people were unable to participate on an equitable basis in remote learning during periods of school closure and they have been less able to engage in virtual study support at home since schools reopened. This will have implications for achievement and, in the immediate future, for those sitting SQA exams this session particularly, their attainment.

Many young people are struggling to readjust to the routines, patterns and rhythms of the school day/week since schools reopened in the summer. This is evidenced in timekeeping and attendance data.

That young people have spent such long periods in lockdown has meant that key developmental milestones have been reached under restricted and quite abnormal social circumstances, and in many cases, not reached at all. This is manifest in a variety of ways in schools:

- Young people struggling with socialisation
- Difficulties in concentrating for sustained periods of time
- Difficulties with listening to peers, teachers and support staff
- Difficulties in verbally communicating thoughts and feelings to others
- Increased distraction by mobile phones- social media, videos, etc.
- Less resilience
- An increased number of behaviour concerns, including in the youngest children whose Early Years education has been disrupted
- Greater incidence of violent behaviour as a result of large class sizes and insufficient support, including among very young children
- Mental health crisis with insufficiency of specialist support with which to respond
- Heightened anxiety among senior phase students about having no/ limited experience of sitting exams as they look ahead to this year's SQA diet.

EIS members have reported that many parents are also struggling at home with the impact of the pandemic on aspects of their children's emotional state and behaviour.

In many cases, anxieties about the impact on their children's learning have resulted in pressure upon schools to move away from the play-based learning that is known to benefit younger learners particularly, in favour of more traditional teaching methods so that children 'catch up'.

Looking at the most recent NIF data (which excludes S3), even by the narrow measures captured here, the impact on attainment in Literacy and Numeracy is evident for all pupils and very worryingly so for the most deprived.

### **Primary Literacy**

In Literacy for P1, there is now a 23.6% gap between the most and least deprived children compared with around 20% pre-Covid.

For P4, the gap is now 26.1 percentage points compared with 21.5 pre-Covid- it

has widened by more than 5 percentage points.

For P7, it's 24.4 compared with 21.5.

For all groups combined, the gap between the most and least deprived is now 24.7, compared with 20.6 pre-Covid. The gap has increased by almost a fifth overall in Literacy during the first two years of the pandemic.

### **Primary Numeracy**

In Numeracy outcomes have fallen by:

- just under 2% for the most affluent in P1, compared with 6.4% for the most deprived;
- just under 3% for the most affluent in P4, compared with 7.9% for the most deprived;
- just under 2% for the most affluent in P7 compared, with 9.5% for the most deprived.

The impact of Covid on Numeracy outcomes for the poorest children is multiple times greater than for the least disadvantaged at each stage.

### **Teacher Health and Wellbeing**

In addition to the observations and information offered here on the impact of the pandemic on children and young people's achievement and attainment in schools using obviously child-centred measures, the EIS would also point to the significance of recent indications of teacher health and wellbeing for pupil achievement and attainment.

OECD and other research highlights clear correlation between levels of teacher wellbeing and the strength of student outcomes.

That the most recent EIS all-member survey (over 16,000 respondents), found that:

- 70% of teachers feel stressed in their job frequently (48%) or all of the time (22%); and
- 50% of teachers describe their wellbeing at work as poor (37%) or very poor (13%)

should be a matter of real concern for all who have an interest in Scottish Education- those who care about the quality of the educational experience for children and young people in our schools, who care about the professionals who create those experiences, and who understand the inter-relationship of these elements.

The mental health and wellbeing impacts of the pandemic for teachers as human beings who themselves and whose families, friends and communities have been impacted by Covid 19; and as professionals working in our schools to support children and families who have been impacted by the pandemic, inside often

cramped and insufficiently ventilated buildings with limited mitigations in place, can't and shouldn't be underestimated if we are to properly support schools and teachers to lead education recovery and to continue the endeavour to reduce the poverty-related achievement and attainment gap as far as it is possible for Education to do this.

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## **EIS views on the Scottish Parliament Report on the Impact on Children and Young People and the impact of Covid on their Education**

### **Comparing 2020 and 2021 exam results with other years**

We need to understand how results from 2020 and 2021 will be compared with other years.

The Committee recognises results young people achieved in 2020 and 2021 were hard earned, deserved and fully merited. A key metric which enables the performance of the school education system to be assessed over time is attainment data. The Committee notes that the 2022 National Improvement Framework states—

“The National Qualification results in 2020 and 2021 provide an accurate picture of the qualifications awarded to learners in those years. Comparisons with previous and future years is possible, provided it is done with an understanding of the different underlying assessment methodologies”.

The Committee asks for guidance from the Scottish Government on how such a comparative assessment would be undertaken.

### **More could have been done to assess the needs of children**

While the pandemic has posed challenges for everyone, there are some children and young people who have faced more significant challenges than others. The extent of the impact on different cohorts is, however, difficult to ascertain in the round.

Several contributors highlighted that there was, and continues to be, a lack of data and research to provide a broader understanding of the potential, and actual, impacts of the pandemic on children and young people.

In its evidence NASUWT cited examples of other countries, including the USA and the Netherlands, where research was undertaken at the outset of the pandemic, to better understand what was required and where funding should be targeted.

It stated that this was not the case in Scotland.

It also argued that there is still a need for further study and evidence gathering to better focus further deployment of funds.

### **Digital support was good but there are still some issues**

The Scottish Government provided £25m to local authorities to support their efforts to ensure that all young people had access to online learning. Approximately 70,000 devices and 14,000 connectivity packages were delivered as a result of this funding.

Colleges and universities received £5m in 2020/21 to support students to access

online learning. In its Programme for Government, the Scottish Government announced that £5m would now be provided annually for this purpose.

CPAG Scotland stated “for children and families who got devices, that transformed things and made a big difference to their ability to engage.”

Several organisations noted, however, that there were significant difficulties in providing digital devices for children and young people who required them during the first lockdown.

Although it was noted that the situation greatly improved during the second lockdown, the Children’s Parliament and CPAG Scotland both highlighted that it is still the case that not all families have a digital device. CPAG Scotland also stated that survey responses collected by them suggested that a significant proportion of low-income families could still be without a device.

NASUWT highlighted that some rural communities are also still experiencing issues with hardware, software, connectivity and access to digital learning.

It was noted repeatedly during the evidence sessions that having a device to use is not sufficient, on its own, to support engagement with school, college or university. It demands connectivity, which incurs both installation and running costs. Such costs were, and are, a barrier to many young people from lower-income households being able to engage fully in their education.

In terms of moving forward, it was noted across the evidence sessions that, to ensure that a young person can have full digital access they need—

1. their own device, whether a tablet or laptop etc;
2. appropriate software;
3. an internet connection, with support for low-income families to help with any associated costs, and for those living in locations without access to a broadband connection;
4. on-going support to help maintain the device and update software; and
5. digital literacy skills – not only for the young person but also the family or carers supporting them. [It should be noted that family members may also have particular requirements, for instance they may be older if providing kinship care or may have English as an additional language.]

The Committee encourages the Scottish Government to ensure that the work to roll out devices to children and young people recognises the wider requirements, as detailed above, to ensure that the policy achieves the desired outcomes and contributes to closing the ‘digital divide’. This wider work should recognise that access to the internet may be more challenging in rural locations.

### **Understanding the impact of the £240m spent on recruitment**

More needs to be understood about the impact of the £240m spent on recruitment of teachers and school staff.

£240m was provided for the recruitment of extra staff in order to ensure resilience

and to provide additional support for learning and teaching. In their written submission, jointly produced with Social Work Scotland, COSLA and ADES confirmed that over 1,600 teachers and staff have been brought in as a result of this funding.

However, the Committee was unable to discover exactly how the rest of this money has been spent, and how well these resources have met the needs of pupils.

It is unclear how much of the additional resource provided by the Scottish Government to support recovery has been used to—

1. recruit teachers and staff to support children and young people with additional support needs;
2. convert temporary teaching positions to permanent positions; and
3. to support non-mainstream settings.

The Committee agrees that setting outcomes, and clearly explaining how success will be measured, is critical to assessing the effectiveness of any intervention.

The Committee would therefore welcome more information from the Scottish Government on the outcomes achieved as a result of the resources it provided to support children and young people during the pandemic, including the specific issues highlighted above.

The Committee notes the findings of the Morgan review. Given the impact of the pandemic on children with additional support needs, the Committee considers that implementation of the recommendations is required as a matter of urgency.

### **The pandemic is not over... Support & planning must continue**

It is clear from the events of winter 2021, with the rapid spread of the Omicron variant and the urgent response it has demanded, that the public health emergency posed by the pandemic is not over.

During the sessions, several witnesses stated that, even before the emergence of Omicron, many services had not been able to return to pre-pandemic levels. This was often owing to a lack of capacity and resilience within their respective systems.

The Scottish Government has stated that keeping schools open is one of its highest priorities. The experience of the emergence of the Delta variant in late 2020 clearly had a significant impact upon schools.

The Committee has previously considered the operation of the Alternative Certification Model in 2021. There were a number of lessons highlighted in evidence to the Committee, to be derived from that experience. These included the mental health impacts on young people and the impact on teacher workload. The 2021 ACM experience also highlighted the critical importance of scenario-planning.

Given the current, rapidly evolving, situation, the Committee seeks further

information on how the Scottish Government has updated its contingency plans as a result of the Omicron variant. The Committee also requests an update regarding how the Scottish Government and Education Scotland are monitoring contingency planning at local authority level.

The Committee would also welcome an update on what scenario-planning the Scottish Government is undertaking with regard to the emergence of further Covid-19 variants in order to ensure the continuity of education and services.

### **Some found it hard to access education and childcare hubs.**

Some, who were eligible, found it hard to access education and childcare hubs. The hubs were set up to provide in-person learning provision and childcare to vulnerable children, and to the children of keyworkers, who were unable to go work, provided that there was not another parent or carer at home.

The Scottish Government emphasised the need to keep the number of children in hubs as low as possible, to minimise the potential health risk.

Eligibility to access these hubs was set by local authorities who determined, within their own area—

1. which occupations they classed as being 'key workers', and
2. what constituted vulnerability.

The Committee acknowledges the scale of the challenge involved in responding to the pandemic and setting up these hubs, particularly at pace. The hubs were described by the Children and Young People's Commissioner as being "incredibly effective for the children who were there".

However, in written submissions and during the evidence sessions, the Committee heard examples of children and young people who were unable to access educational hubs for a variety of reasons including that they—

1. were not eligible as their parents or carers were not designated as key workers despite their employers' insisting on a return to their workplace;
2. were not eligible under their local authority's definition of vulnerable children;
3. were shielding, or living with people who were shielding; or
4. required support for complex additional needs that could not be provided in the hubs.

The Committee recognises the considerable efforts of all those who were supporting, and continue to support, children and young people during this challenging time.

## **We appreciate the effort of all those who provided support.**

The Covid-19 pandemic has affected every part of our lives. It is presenting challenges to the way we work and learn. It has challenged how and, at times, to what extent we can interact with our families, friends and communities.

The Committee recognises the efforts of all those who support children and young people during this challenging time.

The Committee acknowledges the sheer scale and variety of challenges posed by the pandemic. It also recognises the efforts of all those working to support children and young people and respond to these challenges, at pace.

## **Needs of pupils have increased and extra support is needed**

Several witnesses suggested that there had been an increase in the number of children and young people requiring additional support as a result of the pandemic. Examples of those needing extra support included children and young people who have—

1. not been able to engage in online learning;
2. experienced increased anxiety both during lockdown and upon returning to the school, college or university environment; and
3. transitioned during the pandemic, whether into primary school, secondary school or post-secondary school destinations.

In their evidence EIS, SCSC and NASUWT highlighted pressures that existed, pre-pandemic, in respect of delivering support to children and young people with additional support needs (ASN). EIS stated—

"Covid has certainly exacerbated additional support needs across the board, but we already faced acute needs in ASN prior to Covid."

In its evidence to the Committee, CELCIS raised concerns that, as a result of the pandemic, more children and families will require targeted support and intervention, at a time when there is even more demand and squeeze on resources and capacity for staff.

## **Communicating effectively with young people**

A key lesson from evidence the Committee heard on the 2021 ACM, was the importance of communicating plans to young people themselves.

The Committee emphasises that it is essential that contingency plans are communicated clearly not only to policy stakeholders but critically to parents, children and young people.

The extent of engagement of young people, during the pandemic to date, in the development of policy that directly impacts them was a central theme in the evidence the Committee took.

Further to this, the Committee recognises that communication and consultation with children and young people in particular was often lacking in earlier phases of the pandemic.

Whilst we welcome recent progress made in this regard by the Scottish Government and its agencies, as well as by local government, there is both the need and the opportunity to continue improving such engagement and co-production as policy responses to the pandemic continue to evolve.

### **Research to measure the impact of COVID on young people**

The Committee recommends that the Scottish Government should commission research utilising quantitative and qualitative methods, as a matter of urgency, to provide an analysis of how different cohorts have been affected by Covid.

This could draw and then build on existing research, to give a more comprehensive view of the current situation.

This should ensure better understanding of what the needs of different groups are now, in order to assist local authorities and national agencies in determining what additional measures may be necessary to support children and young people.

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## Report on Member Survey on the Use of Digital and Mobile Devices and Mobile Phones

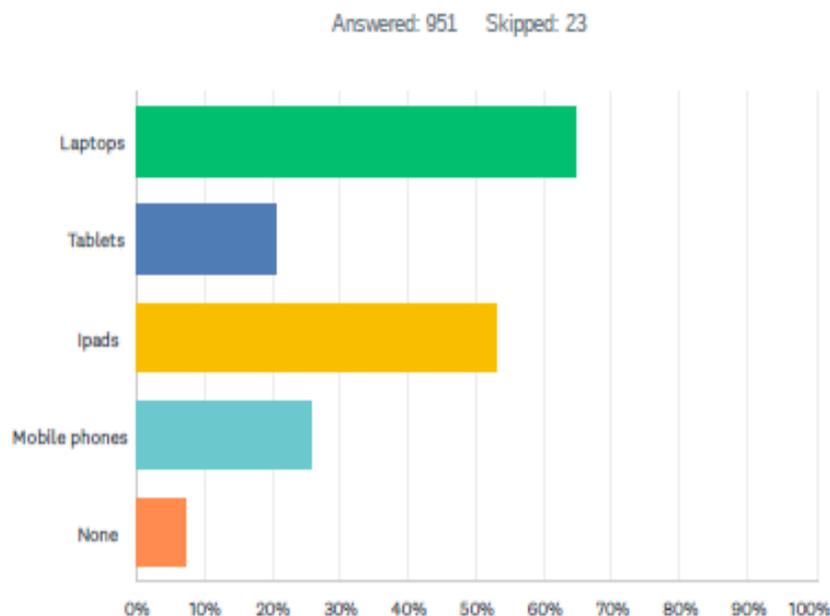
The 2021 AGM instructed Council to investigate and report on:

- a) **Use of mobile devices to support learning, teaching and attainment.**
- b) **The impact of mobile phones on low level disruption to the learning environment.**

In addition to a literature review, a survey of members was constructed and sent out several times on a sampling basis early in 2022, with the aim of reaching 1000 responses. (1000 responses are considered to achieve high statistical significance.)

In total, 7000 members were contacted, with the survey receiving a total of 974 responses, which are summarised in this report.

### 1. Does your establishment encourage the use of mobile devices to support learning in the classroom?



Less than 8% of respondents answered that no devices were used for this purpose. Almost 65% identified laptops as a key device for supporting learning; followed by almost 53% citing iPads; almost 26% mobile phones; and just over 20% other tablet devices.

Although use of laptops was most commonly reported, respondents frequently indicated that laptops were in a poor state of repair and/ or that there were not enough of them to go around within the school. Often whole class sets of laptops are bookable by teachers on a timetabled basis for their classes, meaning that there are competing demands for access across curricular areas and year groups.

Alternatively, each classroom has a very small number, which often is not enough

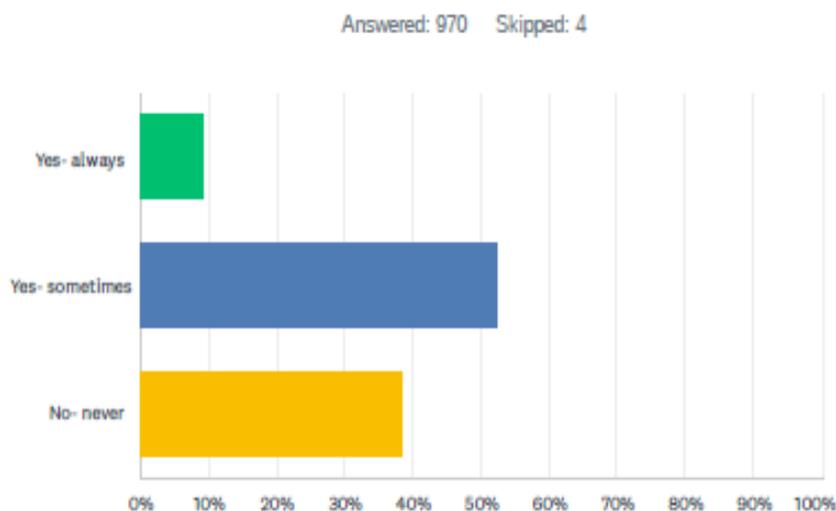
for the number of pupils in the class requiring to use them. Priority is often given to young people with additional support needs.

Members reported variability in terms of i-Pad and tablet provision also. In some cases, all young people have been provided i-Pads or tablets; in others, a particular year group or set of year groups, for example, P7, S4 and S4-S6. Respondents also reported that their school's i-Pad/tablet provision was either in need of updating; inadequate for the numbers of young people in their classes/schools; or were problematic in not enabling access to the school's wi-fi.

To get around some of the difficulties with mobile devices as outlined, including poor access to the school's internet, in a significant number of cases, schools and/or individual teachers encourage or permit the use of mobile phones (and by inference, personal data). Many respondents said that this was at the teacher's discretion.

Respondents cited mobile phone use for the purposes of recording details of homework, sharing learning with peers, photographing notes and calculator use.

## 2. Do pupils use their own devices?



Almost 10% answered that young people always use their own devices and more than half- 52%- that they sometimes do. Just under 40% said that students never use their own devices.

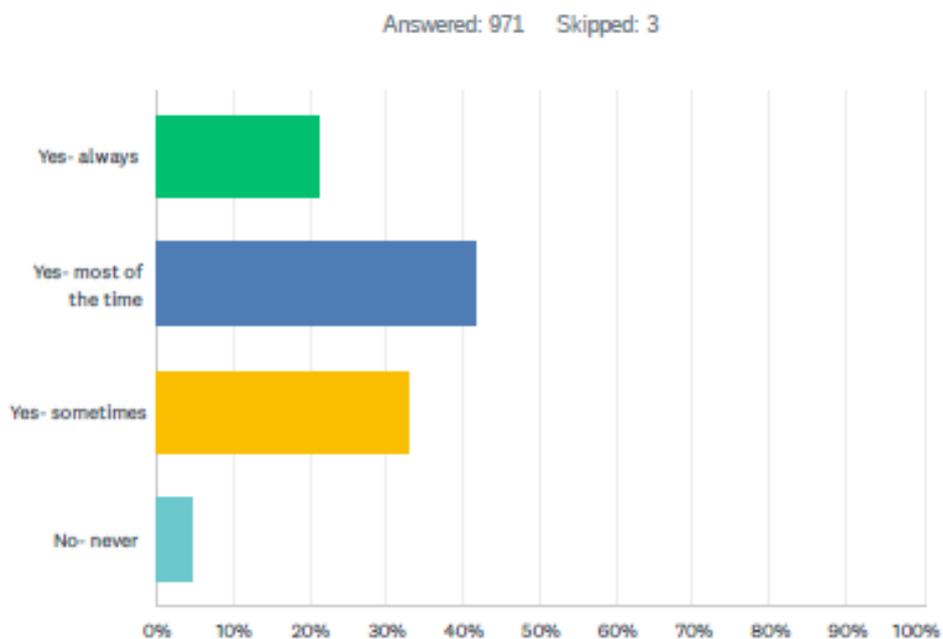
Reasons given by respondents for pupils using their own devices included:

- contingency where school devices malfunction;
- there aren't enough school devices to go around;
- students forget to bring their designated i-Pad to school;
- Wi-Fi is weak;
- teachers consider their use beneficial to learning in particular contexts; or
- students prefer to use them.

Where it was reported that students do not use their own devices, reasons given were that:

- the council had provided devices to pupils negating the need for personal devices;
- that schools had sufficient ICT provision;
- insufficient digital security; or
- school policy prohibiting their use in classrooms on the basis that personal devices can be a distraction from learning.

### 3. Are you confident in incorporating the use of digital devices into your teaching methodologies?



Less than 5% of respondents said that they never felt confident in incorporating the use of digital devices into their pedagogical approaches. More than 60% expressed a strong degree of confidence in using them- 21% always confident; almost 42% confident most of the time. Around a third of respondents indicated that they were confident some of the time.

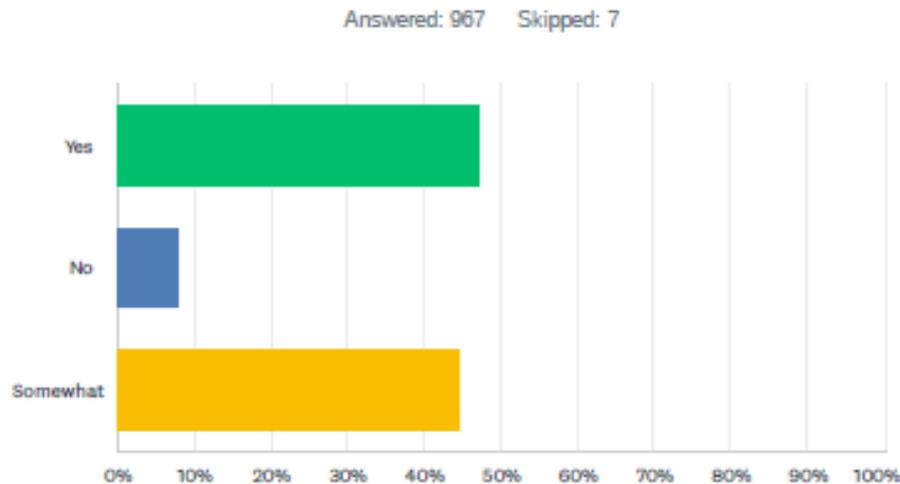
Comments suggest that confidence levels are influenced by:

- the type of device and the extent to which teachers are familiar with hardware or find it user-friendly;
- training opportunities;
- the reliability of school digital equipment and internet;
- the realism of the expectations of teacher expertise.

Overall, this is a healthy picture of teacher openness to using digital devices in their teaching. Some, though, while confident in using them, are conscious of the over-exposure of young people to screens and digital devices throughout the course of each day and are keen to ensure that learning and teaching retain the valuable element of human interaction.

There remains an expressed need for professional learning and training with regards to digital pedagogy among teachers.

#### 4. In your experience, are digital devices useful in supporting the learning of all pupils?



Just over 47%- almost half- of respondents were of the view that digital devices support the learning of all pupils. Reasons cited were that digital devices enable:

- access to learning opportunities for young people who are unable to attend school;
- bespoke adjustments to font sizes and coloration;
- differentiation;
- greater independence;
- more fruitful guided research and interactive learning.

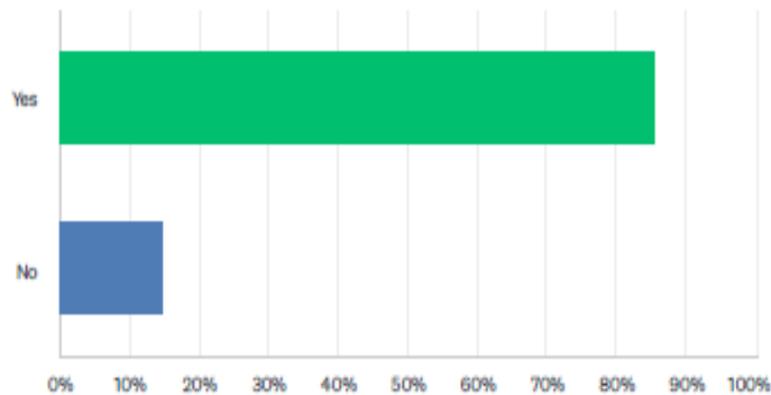
Just under 45% said that digital devices assisted learning somewhat, with 8% saying that they did not aid learning at all.

Reasons for misgivings or outright rejection of mobile devices as tools to support learning were:

- that there is unequal access to devices among children and young people and variable levels of digital literacy;
- they can be a barrier to learning for some;
- young people themselves get fed up with using digital devices and prefer to use books, paper and pencils, contrary to some assumptions;
- potential for distractions arising from access to the internet, games and digital communication platforms- mobile phones in particular were referenced many times as being a particular hindrance to learning;
- the ineffectiveness of reliance on digital devices for the teaching of certain skills and concepts; and
- the inappropriateness of digital devices for some young people as they engage in learning about particular aspects of the curriculum.

## 5. Are there groups of learners who benefit more from using digital devices than others?

Answered: 963 Skipped: 11



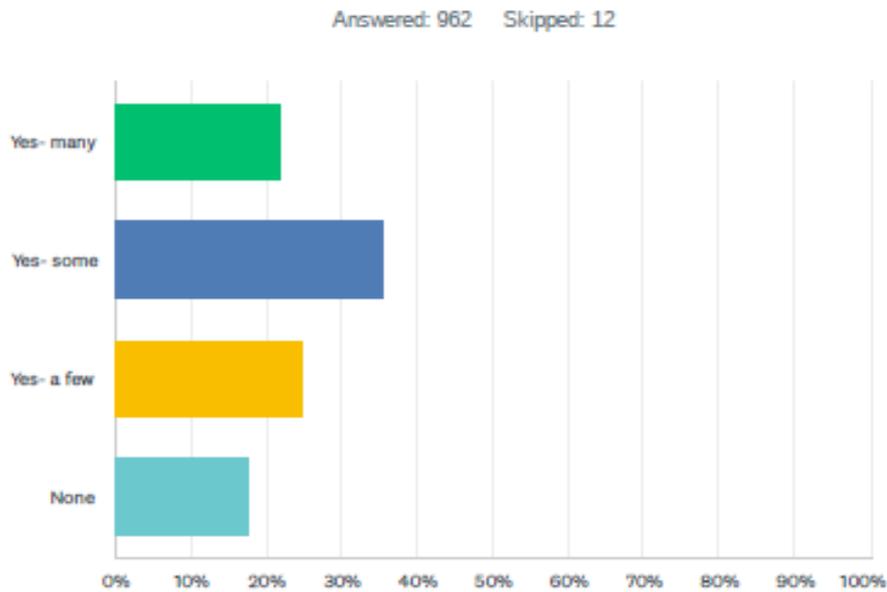
Almost all- more than 85% of respondents- said that some groups of learners benefit more than others from the use of digital devices in their learning.

Groups who were judged to be benefitting more were:

- those with certain types of additional support need related to literacy, such as dyslexia or having English as an additional language;
- learners with additional needs arising from a physical disability that inhibits their ability to write using a pen or pencil;
- senior phase learners;
- learners, especially those whose families are more affluent, with greater access to and proficiency in using, digital devices; and
- those who are motivated by using technology.

Respondents who said that they did not think that particular learner groups benefited more saw it that all learners could benefit differently but equally, depending on purpose of the use of digital devices and the preferred learning styles of individuals.

## 6. Are there any inequalities that you observe linked to the use of digital devices in the classroom?



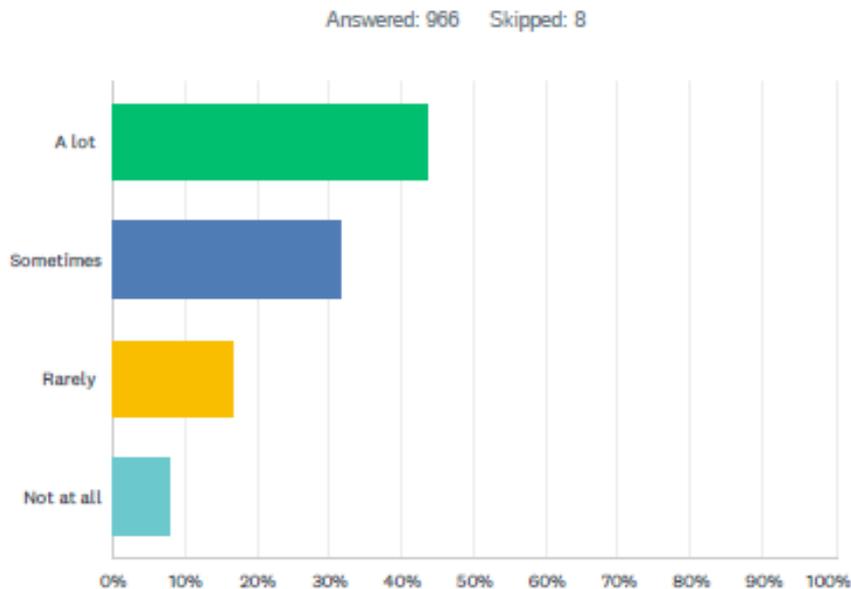
More than four fifths of respondents said that they observed inequalities relative to the use of digital devices in the classroom. More than 20% said that they saw this in many instances; around 35% said that there were some instances; and a quarter said that there were a few. Only 18% of respondents said that there were no such inequalities observed.

Among the inequalities listed were:

- personal ownership of mobile phones and other digital devices;
- quality, capacity and state of repair of digital devices owned by students;
- access to mobile phone data;
- access to printers at home;
- variations in levels of digital literacy and proficiency in using both hardware and software;
- general literacy barriers, including for young people who have English as an additional language;
- levels of charge in devices issued to all and brought from home to school each day, as a result of fuel poverty and limited access to chargers at home;
- consistency in remembering to bring devices issued to all from home to school each day;
- parental confiscation of personal devices as sanction or punishment, meaning that sometimes young people don't have them for use in school;
- unequal access to hardware and software across schools according to year groups, subjects and incidence of additional support needs;
- varying levels of teacher confidence in incorporating the use of digital devices into learning activities.

It would seem from the responses given that where fewer or no inequalities have been reported, this is linked to the fact that all young people have received a digital device from the school or local authority.

## 7. To what extent does the use of tablets and/or mobile phones contribute to low level disruption in the classroom?



A large proportion of respondents- almost 44%- said that tablets/mobile phones contribute to a lot of low-level disruption, with another almost third- 31%- saying that this was sometimes the case. Just under a quarter of respondents were of the view that these devices are either rarely (16.67%) or never (8.18%) problematic in that sense.

Among the issues cited were:

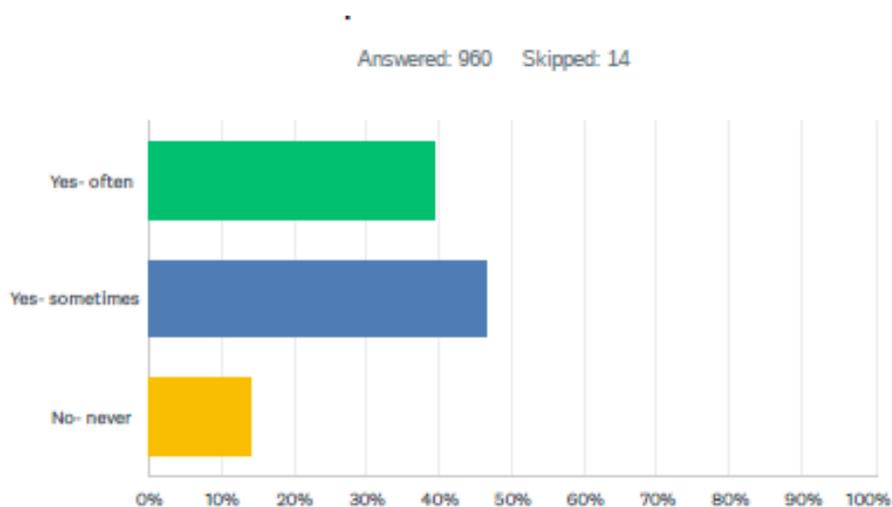
- breaches of teacher privacy and safety by using devices to record teachers while they are working; (The EIS would consider this to be more than low-level disruption and a matter of serious concern.)
- students being distracted by mobile phones and using them for purposes unrelated to learning during lessons, for example, accessing social media sites and online videos;
- students filming peers inappropriately;
- students being 'zoned out' and disengaged from learning because of focus on mobile devices;
- students using built-in cameras to photograph one another/teachers and send/post images using Airdrop and other messaging apps;
- texting parents/parents texting during lessons;
- Phone calls to/from parents during lessons;
- texting friends in other classes, including to co-ordinate toilet breaks;
- playing games;
- playing music loudly or through earbuds (often hidden);
- mobile phone notifications sounding;
- the attachment of many young people to/ 'obsession with' / 'addiction to' their mobile phone can become a source of confrontation in the classroom.

Comments suggested also that because mobile phones are personally owned by pupils, it can be difficult for teachers to direct their use/ non-use, more so when the school has no policy with regards to mobile phone use in school.

School/authority issued iPads and tablets, and even personal devices of this kind, while still the source of some distraction for some young people, appear to be less problematic in their capacity to disrupt than personal mobile phones. Where they are issued to students, teachers have greater control over how and when they are used; and the size of these devices, whether owned personally or not by students, makes some inappropriate uses less easy to perform.

Where respondents reported less or no low-level disruption, from the comments given, this would appear to be because of the younger ages of some classes, whole school policies on mobile phones that prohibit their use in the classroom, and individual teachers either prohibiting their use in their classrooms or being clear and strict on the conditions under which mobile phones and other devices can be used in the classroom, relative to the specific context for learning.

### **8. Does your establishment encourage the use of mobile devices for the completion of homework?**



Almost 40% of respondents said that students were often encouraged to use mobile devices for completing homework, with a further 46% saying that this was sometimes the case. Combined, this amounts to almost all respondents, with only 14% saying that their school never encouraged the use of mobile devices for homework.

Where digital devices are not actively encouraged, comments would suggest that this is down to:

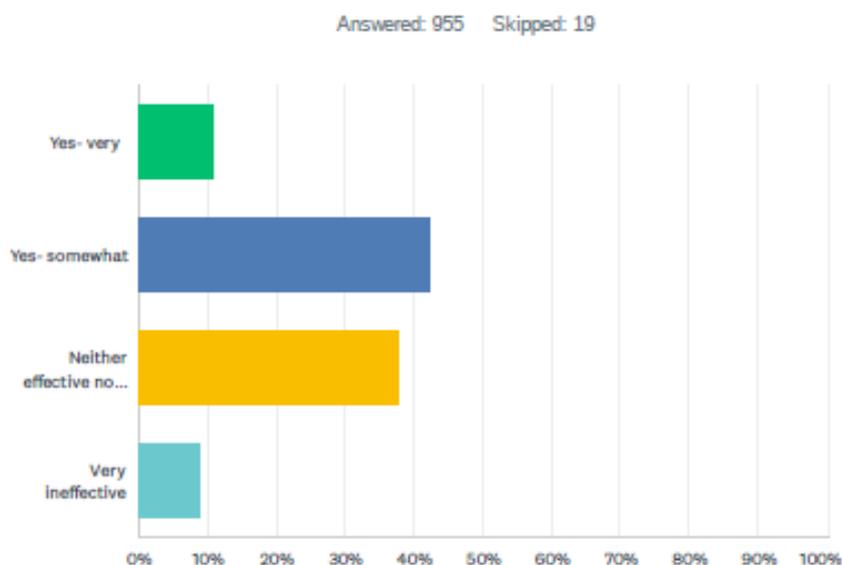
- awareness among teachers that not all young people will have the requisite access at home to devices and connectivity;
- consciousness that many young people spend too much time on screens as it is;
- some schools not issuing homework at all, with some suggestion that this is in response to current wellbeing issues; and
- where homework is given, students can respond however they wish in terms of using paper or digital means- neither one nor the other is encouraged.

Where use of digital devices at home is regularly or routinely encouraged, comments suggest that this is because schools often set homework using digital apps or online platforms, for example, Seesaw, Google Classroom, Teams,

Sumdog, Show My Homework, to cut down on paper use, enable ease of marking and to maximise the use of the school's/council's investment in i-Pads, though this was sometimes felt to be ill-judged in that the blanket use of digital devices is not in the interests of good learning and teaching, always.

Other reasons cited were that the use of Teams and other platforms is enabling provision for young people whose learning might otherwise be disrupted as a result of Covid-related absence, as well as it facilitating parental access to homework.

## 9. Is this effective in your view?



All combined, just over half of respondents said that encouraging the use of digital devices for homework was effective- either very (almost 11%) or somewhat, effective (42.5%). 37% thought it neither effective nor ineffective, with just under 9% viewing it to be very ineffective.

The reasons for the effectiveness of this approach largely echoed those provided in the comments section for the question above. Additionally, some respondents cited that the use of certain platforms and apps:

- facilitates easier monitoring of completion of homework;
- is easier organisationally for pupils to manage rather than multiple jotters and pieces of paper;
- has aided Covid safety; and
- supports the development of young people's digital skills.

Where thought to be ineffective, comments suggested that this was down to:

- inequalities arising from home circumstances;
- varying capabilities among pupils to work independently;
- varying levels of digital proficiency;
- inappropriateness of the use of digital approaches for certain types of skill development, for example, pencil grip; and
- young people themselves being fed up using digital devices and platforms.

From a teacher's perspective, several of the comments suggested, the use of such digital devices is extremely time consuming and adds to workload.

**10. How does the school respond to any associated inequalities in terms of access to digital devices, data and the internet by pupils at home?**

Some respondents were unclear as to how their schools responded to such inequalities, whilst others stated that their schools had nothing in place, suggesting that there are some gaps in collegiately agreed whole-school policy covering this area.

In several cases, on the other hand, it was highlighted that the school regularly monitors matters related to digital access, through surveys and use of FME/SIMD data, and adjusts its response accordingly.

Regarding measures to address inequalities of access to devices specifically, comments indicated that in some cases:

- devices are provided to all by the school/local authority;
- devices are loaned by the school;
- devices are targeted to those who need them;
- PEF money is used to buy devices for use by students;
- 'Digital Deprivation Fund' set up;
- schools support young people needing to charge devices in school;
- arrangements are made for young people to use school computers at lunchtime and after school; and
- printed versions of materials are provided for pupils who don't have access to devices.

In response to inequalities related to access to data and the internet, in some cases:

- local authorities are supporting families to ensure that they have internet access, for example, through the provision of dongles;
- schools are accessing grants and free SIM cards to provide families access to data that they otherwise couldn't afford;
- students can access the school's Wi-Fi; and
- teachers are providing access to their own phone data for young people to get online in the classroom where the school's Wi-Fi is inadequate and/or unreliable.

**11. Please feel free to leave any other comments that you might have regarding your views on the use of digital/ mobile device by pupils.**

A selection of the additional comments left are included under thematic headings here because they either offer new insights or give emphasis to some of the themes highlighted elsewhere.

**Importance of digital skills**

*'We need to prepare children for real-life digital experiences. Digital literacy can help children from remote areas access resources.'*

*'Teachers and students need training and reliable devices.'*

*'It has really helped encourage my children in class to become much more independent and they are able to use a wide range of ICT skills. They are able to*

*use technology to support learning, attend leadership roles, make contact with the secondary school they will be going to. It has helped children become more confident. I think it has been a great benefit.'*

*'Digital learning is the way forward. Every workplace is digitised therefore it is our job to teach pupils to use devices safely and properly otherwise we are out of touch with our learners and become irrelevant in their learning journey.'*

### **Equity and suitability of provision**

*'I've really enjoyed the new ways of presenting learning and revision materials through the iPads. The ability to share resources with colleagues has been great too. The main frustrations are mostly around the pupils not bringing them, reliability of the infrastructure and reliability / user friendliness of certain apps.'*

*'There are some things where I can see benefits in doing things online, but unless or until all learners have access to devices and internet, there will be some learners who will not be able to access resources. I am also not keen to have learners squinting at small screens on their phones as they try to research a topic or write up notes.'*

*'The WIFI in school only lets 6-8 chrome books in a department on at a time so a full class can't work.'*

*'If the future of the classroom is in technology then local authorities need to provide that technology for a fair and standardised approach.'*

### **Device Appropriateness**

*'Pupils using their own smartphones in class is an endemic problem of epic proportions at the moment. The amount of learning time wasted through pitifully paranoid checking of phones is truly astounding. However, I also see the undeniable benefit of using iPads in the classroom - school blocks all the usual social media sites and inappropriate sites, so it does become a useful tool for learning and accessing materials.'*

*'Mobile phones can be a distraction in class but due to the lack of school devices some teachers have to use them. I worry that we are not able to meet the entitlements of pupils with ASN as mobile devices are so scarce. It also concerns me that a lot of money has been spent in the past on iPads which come with in built obsolescence and now are useless as they no longer support apps required by pupils.'*

### **Digital literacy**

*'I like the idea of digital devices for learning but they are more of a hindrance than beneficial because pupils can't work them. I work in asn and a lot of the pupils I teach struggle with retention and even remembering passwords so using a chromebook is so difficult for them.'*

*'They can be very useful but can also be a distraction. The more able can use them to their advantage and enhance their skills but less able either struggle to use or see it as a distraction.'*

### **Balance of use**

*'I fear this is style over substance. It's very "impressive" to talk about pupils having 1:1 devices, but there are huge negative consequences on literacy, concentration, and socialisation. They should complement learning, and not become the sole means through which learning takes place, and I fear these lines are unclear in my local authority where the expectation is very much that learners use the devices for most tasks. Those advising this are not the ones*

*'Great idea, but isn't a catch all, still needs a good teacher to use them in a good manner.'*

*'There needs to be a huge push on pupils being taught about appropriate use. If not we risk the pupils underperforming and having a real issue in the world outside school when they can no longer be on phones every hour of everyday. It prevents pupils communicating with one another too as they spend their time staring at a screen. I am a HUGE fan of technology but what I have witnessed in school recently concerns me greatly.'*

*'The harassment and other pressure on pupils due to social media is increased by them being on their devices throughout class time as well as every other hour of the day. For some pupils the only time they are off screens is during lessons. I firmly believe lessons should be without devices whenever possible. School devices without social media apps should be used when needed. As a related point - increased culture of teachers basing in school lessons around Teams i.e. pupils working from Teams as though working remotely when actually in school should be strongly discouraged.'*

*'Obviously we need to support pupils in digital learning but be wary of abandoning writing skills and the fine motor control it gives too. I think we need to be aware of the addictive nature of phones and their distraction which prevents real down time and proper thinking/reflection time after tasks...'*

*'I believe from a health and wellness perspective that we should definitely be using a variety of different approaches to get the pupils off of screens. I would like to see more money for outdoor learning and more school trips being funded.'*

### **Addiction to devices**

*'We use pupil devices frequently to record demo videos of a piece being played on a specific instrument (no faces shown) or to record piano accompaniments for pupils to practice with out with the class. We do place great trust on pupils who we allow to use their own devices to practice vocal pieces in practice rooms. It can be difficult to judge if this is being abused as they seem to be working when we are around. We feel the benefits outweigh the potential negatives. I do worry about the addiction that pupils have to their phones and the effect this is having on their mental health.'*

### **Disruption to learning**

*'I waste a significant portion of my teaching time dealing with phone related disruption and behaviour issues. I feel totally unsupported in this and that there is no consistency in school approach..'*

*'...I am exhausted with the phone debate so my department have a hard line of phones off and in a bag. Always. It's wasting our time, their future and our sanity. Mobile phones are a pandemic in schools and it causes so much indiscipline. More needs to be done to address this problem.'*

### **Critical thinking skills**

*They also need a lot more educating in why the internet is not always right (a student said to me today 'I believe everything on the internet. why would Google lie?') and the importance of trained teachers to help navigate the information and put it in a rational structure somehow!'*

## **Teacher Workload**

*'Generally I am positive but I'm very uncomfortable with the increased access to me & my time parents believe they have. Post lockdown I asked for school to reset everyone's thinking around this.'*

*'Mostly helpful in class but management are attempting to micro manage teachers' teaching/lessons, wishing/requiring teachers to be managing online*

## **Commercialisation**

*'... In terms of access to digital learning I strongly believe in the principles of open source software - schools and education authorities should not be tying themselves into contracts with propriety companies (google, microsoft etc.). Education is a right and is free to pupils and the means by which it is delivered should not be controlled by these organisations who seem to offer 'free' resources (monetary) and software which are not actually libre/ freedom empowering in terms of control. There are many examples of how this can be avoided - FSFE Europe and examples in Scandinavia and elsewhere. Public money = public code!'*

## **Overarching policies**

*'Digital/mobile devices should have been integrated far more widely during lockdown. Instead there has been a policy of mobiles are bad, so ban them. This generation of pupils is addicted to their devices, just like their parents. There needs to be serious discussion and policies created to deal with this. Banning them from the classroom is one way, but in an environment where there are no sanctions, this is obviously ineffective, as well as being extremely short sighted.'*

*'Schools/ Councils have had to implement these devices due to the Pandemic. There was no proper strategy formed for Teaching and Learning. There has been or very little investment in digital resources and it mainly being done in secondary by those who have an interest. I.E West OS, etc.'*

*'EIS and other unions should push for a single, national phone policy. While some schools and councils have strong phone policies others do not and this has a direct impact on student behaviour and attainment. Pupils, parents, teachers, unions and the Scottish Government should be consulted to identify a policy that works for all involved going forward.'*

*'We are at a crossroads with digital devices. There is no going back to 'before' but what comes next must be a fully integrated strategy for the 21st century. Tinkering at the edges will invite derision from pupils who increasingly see large parts of the school experience as anachronistic. Rolling out iPads without adequate Wi-Fi provision sets teachers and pupils up for failure at a time when 'buy in' to the strategy must be high... While our enthusiasm for new methodologies is high our confidence in the infrastructure and political will to see through a workable set of policies and practices is low. Too many brave new worlds have come and gone in teaching and many have not helped the attainment of pupils improve. Changes in teaching must be driven by working teachers at all stages. We know what works and what pace to introduce change at... all too often changes are brought in that overstep the ability of teachers to manage the change and without adequate resources to make up the difference.'*

## **Conclusions**

There is widespread use of digital devices including laptops, Chromebooks, i-Pads, tablets and mobile phones within learning and teaching in classrooms across Scotland.

Though widely used, the extent and nature of use is uneven as a result of inequity of ICT provision across schools; varied school policies covering if, when and how certain mobile devices should be used; and differences in the professional judgements and confidence levels of individual teachers regarding the incorporation of digital devices within their pedagogical approaches.

Gaps in funded ICT provision within schools have resulted in children and young people commonly using their own devices for their schoolwork.

The majority of teachers who responded to the survey are confident or very confident in using digital devices within their teaching but a third indicated that they don't always feel confident in using the whole gamut of available technology- insufficient professional learning opportunities and the unreliability of school ICT equipment were the main reasons cited for gaps/lapses in confidence.

The vast majority of teachers who responded said that digital and mobile devices support the learning of all pupils though with several caveats:

- there is the potential for overuse of digital devices at the expense of valuable human interaction- digital should be an enhancement to, not a substitute for, teacher-pupil and pupil-pupil interaction around learning;
- digital devices, if they are the default resource, risk young people's engagement with physical books as one of the key foundations of literacy development;
- too much reliance on digital approaches risks turning learners off learning;
- approaches need to be selected to fit the needs of learners and the purpose of the learning in any given context;
- there is significant potential for distraction from learning, most commonly from mobile phones; and
- there are marked inequalities of access to devices and associated digital skills among children and young people which in addition to being problematic in themselves, risk widening the achievement and attainment gap further.

Overall, EIS members acknowledge the potential value of digital devices to learning but stress the need for sound professional judgement with regards to if, how, how often and when they are used.

The vast majority of respondents believe that digital devices when used appropriately are of particular benefit to young people with certain types of additional support need.

Three quarters of respondents are of the view that tablets and especially mobile phones, contribute to at least low-level disruption in the classroom, with some of the behaviours identified being serious in nature. There was a large number of responses expressing concern about the extent to which mobile phones are disruptive of learning and teaching, and by implication, risk impacting negatively on attainment.

Mobile and digital devices are also being used widely in schools for the recording and/or completion of homework, with teachers having mixed views on the

effectiveness of their use for this purpose, with many also questioning the value of homework generally.

Local authorities, many schools and individual teachers are employing a variety of means to try to address issues of digital poverty. From the responses received, it would appear that there are some policy gaps in this regard. The EIS [Briefing on Digital Poverty](#) would be a useful starting point for whole-school discussion on these matters.

## **Mobile Devices in Education Briefing Paper – March 2022**

### **Background**

The June 2021 EIS AGM passed the following resolution:

“That this AGM instructs Council to investigate and report on:

1. “Use of mobile devices to support learning, teaching and attainment.
2. “The impact of mobile phones on low level disruption to the learning environment.”

This paper will explore the available evidence and existing Scottish Government policies on the use of mobile devices within education settings.

### **What are mobile devices?**

Mobile device is a general term for any handheld computer or smartphone. Tablets, e-readers, smartphones, PDAs (Personal Digital Assistants), portable music players, smartwatches, and fitness trackers with smart capabilities are all mobile devices. In general all mobile devices have the following features:

- “Wi-Fi or cellular access to the internet or a Bluetooth connection to another device
- “A battery that powers the device for several hours
- “A physical or on-screen keyboard for entering information
- “The size and weight allow it to be carried in one hand and manipulated with the other hand
- “Touchscreen interface in almost all cases
- “A virtual assistant, such as Siri, Cortana, or Google Assistant
- “The ability to download data, such as apps or books, from the internet or another device
- “Wireless operation”<sup>10</sup>

In an education setting, mobile devices are much more than physical objects, as Andy Hargreaves and Henry Braun explain:

“School systems are increasingly looking to assistive technology as a tool to improve the achievement of students with special educational needs. However, assistive technology is not simply a device such as a laptop or a piece of software. Nor is it a single investment in time and resources. It is as an interconnected system that encompasses planning, professional development, personnel, and equipment.”<sup>11</sup>

### **Children and young people’s access to home mobile devices**

Research carried out by YouGov in March 2020 found that 10% of six-year-olds have their own mobile phone, and a further 49% have access to a family one. Figure 1 below shows that by the age of 13, almost 90% of children and young

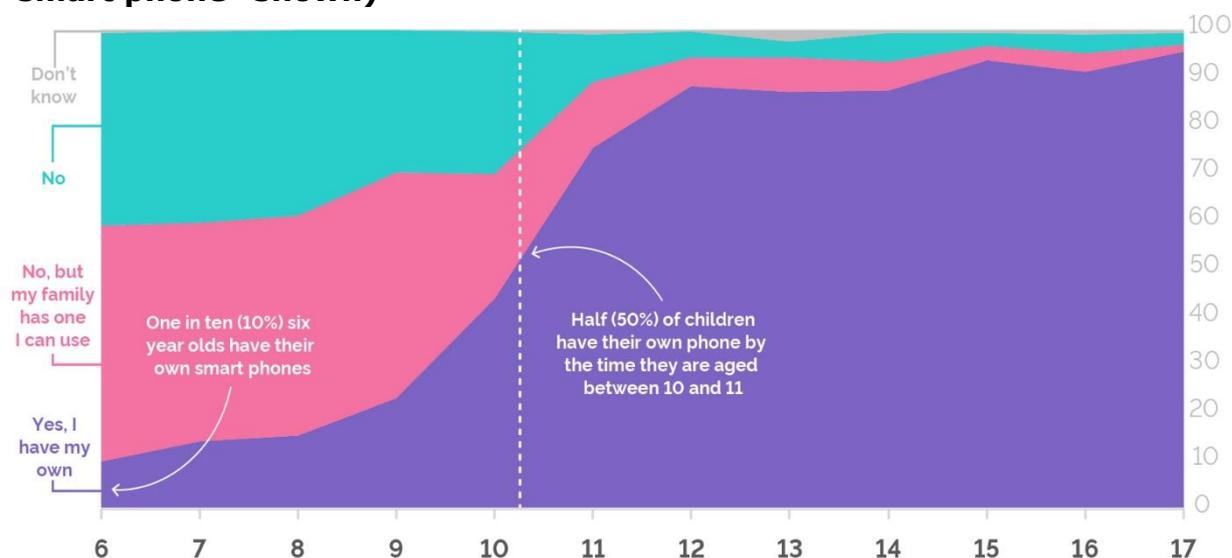
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<sup>10</sup> Lifewire, “What is a mobile device” (September 2021) <https://www.lifewire.com/what-is-a-mobile-device-2373355>

<sup>11</sup> A. Hargreaves and H. Braun, “Boston College Leading for All: A research report of the code special education report” Principle investigators Andy Hargreaves and Henry Braun (2016) [http://andyhargreaves.weebly.com/uploads/5/2/9/2/5292616/essential\\_fullreport\\_final.pdf](http://andyhargreaves.weebly.com/uploads/5/2/9/2/5292616/essential_fullreport_final.pdf)

people in the UK already have a mobile phone.

**Figure 1: “Do you have access/ are you able to use any of the following devices? (% of 2,160 GB children aged between 6 and 17, answers for “smart phone” shown)<sup>12</sup>**



At age six, 85% of children say they have access to a tablet at home, and 40% have their own. The rise in PC ownership among children is fairly low until they begin secondary school and as they reach the ages of 10 to 11.

From then on, the increase in ownership is consistent, with most having to wait until the age of 12 to get their own. By age 17, only 4% say they don't have a computer that is theirs, or one in their family they can use.<sup>13</sup>

PISA 2012 data reported that across OECD countries 72% of students reported using computer technologies (desktops, laptops or tablet computers) at school versus 93% at home.<sup>14</sup>

### The availability of mobile devices in education

It was an SNP manifesto pledge in May 2021 to provide every pupil with their own laptop or device and an internet connection.<sup>15</sup> Despite this, a recent investigation by The Ferret found that the Scottish Government is unable to confirm the number of devices required, the means by which the roll out will be achieved, or the

<sup>12</sup> YouGov, “How many children have their own tech?” (13<sup>th</sup> March 2020)

<https://yougov.co.uk/topics/education/articles-reports/2020/03/13/what-age-do-kids-get-phones-tablet-laptops->

<sup>13</sup> Ibid.

<sup>14</sup> OECD, “Impacts of Technology Use on Children: Exploring literature on the brain, cognition and well-being” (January 2019)

<https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=EDU/WKP%282019%293&docLanguage=En>

<sup>15</sup> SNP, SNP Manifesto 2021 (Page 60)

[https://issuu.com/hinksbrandwise/docs/04\\_15\\_snp\\_manifesto\\_2021\\_a4\\_document?mode=window](https://issuu.com/hinksbrandwise/docs/04_15_snp_manifesto_2021_a4_document?mode=window)

expected cost of the programme.<sup>16</sup>

A recent Freedom of Information Request by The Ferret found that when asked about the number of devices already provided, the Scottish Government pointed to a previous scheme which aimed to provide more than 70,000 devices and 14,000 internet connections by the end of the 2020/2021 school year.<sup>17</sup> The Ferret also reported issues with this digital access scheme, with geographical disparities and failed targets. Data released under Freedom of Information legislation on the £25m fund to deliver these devices, reveals that by the end of January 2021 a total of 63,382 devices – including tablets and laptops – had been distributed, 6,618 short of the Scottish Government’s stated target of 70,000 devices.<sup>18</sup> Figure 2 shows the connectivity solutions distributed to Scottish school pupils by local authorities.

In addition 11,846 ‘connectivity solutions’, such as Wifi routers, had been provided to families in Scotland, less than two thirds of a Scottish Government target of 18,000.<sup>19</sup>

From these Freedom of Information requests published by The Ferret it is clear that providing devices for every child, and an internet connection, is proving to have some logistical challenges – not least the challenge to audit exactly how many devices have been issued and how many are still needed, and at what cost.

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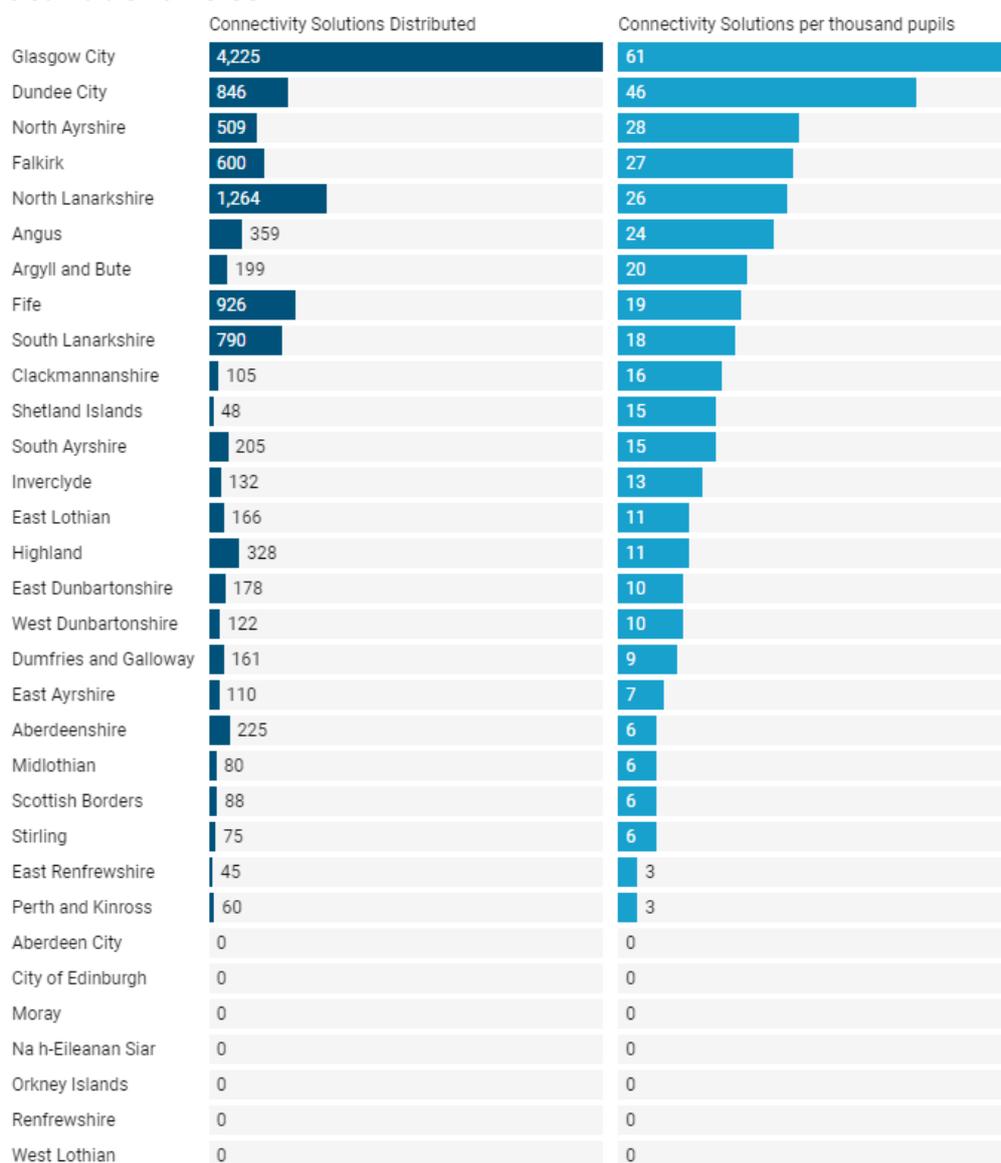
<sup>16</sup> The Ferret, “Scottish Government accused of slow progress on digital access for pupils” (1<sup>st</sup> March 2022) <https://theferret.scot/scottish-government-accused-slow-digital-pupils/>

<sup>17</sup> Ibid.

<sup>18</sup> The Ferret, “Remote learning figures show the digital divide laid bare” (11<sup>th</sup> March 2011)

<sup>19</sup> Ibid.

**Figure 2: Connectivity solutions' distributed to Scottish school pupils by local authorities<sup>20</sup>**



Based on numbers of school pupils in 2019.

### Teaching and learning using mobile devices

In 2016 the Scottish Government published their strategy for digital learning and teaching.<sup>21</sup> As part of the development of this strategy, the Scottish Government commissioned Young Scot and the Children’s Parliament to gather the views of children and young people on the use of digital technology in education. The Children’s Parliament consulted with 92 children from across Scotland aged between 8-11. The children that took part in the consultation exercise already had

<sup>20</sup> Ibid.

<sup>21</sup> Scottish Government, “Enhancing Learning and Teaching Through the Use of Digital Technology: A digital learning and teaching strategy for Scotland” (2016) <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2016/09/enhancing-learning-teaching-through-use-digital-technology/documents/00505855-pdf/00505855-pdf/govscot%3Adocument/00505855.pdf?forceDownload=true>

strong exposure to digital technology. This included owning a personal digital device and having an informed understanding of the potential dangers associated with having access to digital technology.

The children that took part also thought that digital technology makes learning more fun, and they would like to see it used more as long it is not over-used. In general, they thought that their access to digital technology in school is constrained by a lack of digital equipment and limitations in the skills of their teachers in using digital equipment.<sup>22</sup> Some of the key findings from this consultation included:

- “Children want more access to technology to support learning when peers or teacher are not available. If every child had their own iPad/tablet they could decide when to use them in their learning. Children could do more art and design using technology/devices available in school
- “While many of the children’s ideas for enhancing the learning experience relate to technology/being on-line, many also highlight their desire for broader environmental or relationship-based improvements to learning, including more personalisation and more help and support for all learners
- “Digital technology is seen as enhancing learning; it makes learning more fun and engaging and helps make links between learning in the classroom and work at home. Looking forward, children thought that accessing iPads or other classroom technology should be seen as the usual or normal thing to do”<sup>23</sup>

To gather the views of older children and young people, Young Scot consulted with over 250 people from across Scotland aged between 11-25. The young people consulted thought that digital technology was an important learning aid in the classroom, a good tool for revision, provided an interactive learning experience and gave them a quick way to access information. However, they felt that in general, digital resources within their schools were low, could be unreliable and could be misused, and they felt that in many cases, teachers lacked the knowledge of how to use the digital technology they have.<sup>24</sup> From this consultation Young Scot concluded:

“It is clear from the ‘My Digital Future’ task and the national survey that digital technology currently plays an important role in learning and teaching in schools. The young people that participated provided a range of positive and negative experiences. They see digital technology as an important learning aid, a tool for revision and to provide an interactive learning experience in the classroom. Currently they generally think there are not enough resources in their schools, what they do have can be unreliable and subject to misuse, and in some cases, teachers are not trained in the technology they use.

“They have positive visions for how they see digital technology being used in learning and teaching in schools in the future. They imagine it to become built into all aspects of learning and teaching within the school curriculum, with increased access to resources for all pupils. Young people feel that digital technology should

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<sup>22</sup> Children’s Parliament (on behalf of Scottish Government), “Development of a Digital Learning and Teaching Strategy for Scotland: The views of children aged 8 – 11”(March 2016)

<https://digitalfuturescotland.files.wordpress.com/2016/03/dig-cons-resp-8-11.pdf>

<sup>23</sup> Ibid.

<sup>24</sup> Young Scot, “The Views of Young People on Digital Learning and Teaching” (2016)

[https://dera.ioe.ac.uk/25669/2/00495091\\_Redacted.pdf](https://dera.ioe.ac.uk/25669/2/00495091_Redacted.pdf)

play a role in many aspects of the school community, from homework and teaching to connecting with other schools.”<sup>25</sup>

The Scottish Government digital learning and teaching strategy sets out 4 main objectives to integrate technology into the Scottish education system.

1. Develop the skills and confidence of educators in the appropriate and effective use of digital technology to support learning and teaching
2. Improve access to digital technology for all learners
3. Ensure that digital technology is a central consideration in all areas of curriculum and assessment delivery
4. Empower leaders of change to drive innovation and investment in digital technology for learning and teaching<sup>26</sup>

Within this strategy, the Scottish Government outlines 4 key measures on which to benchmark the success of digital integration into learning and teaching, as shown in Figure 3. One of the measures outlined is the PISA report published every 3 years. The 2018 report only made references to the use of digital devices outside of school. They found that:

- “Both boys and girls in Scotland and the UK as a whole were more likely than the OECD average to use digital devices every day or almost every day for the following activities: Chatting online, participating in social networks, browsing the internet for fun and downloading music, films, games or software from the internet.
- “Boys in Scotland (51.8 per cent) were more likely than boys in the OECD (43 per cent) and in the UK as a whole (47.4 per cent) to use digital devices every day or almost every day to play one player games and collaborative online games. By contrast, girls in Scotland (7.3 per cent) were less likely to play collaborative online games than the OECD average (9.8 per cent), although this was similar to the UK as a whole (7.8 per cent).
- “Boys in Scotland were more likely than boys in the UK as a whole to read the news online several times a day (26.2 per cent vs 22.3 per cent), though they were less likely to read the news online several times a day than the OECD average (29.3 per cent). Girls in Scotland were also less likely than the OECD average to read the news several times a day (18.9 per cent vs 25.5 per cent). This was similar to the UK as a whole (17.8 per cent).”<sup>27</sup>

Whilst these findings suggest that the use of digital and mobile devices is

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<sup>25</sup> Ibid.

<sup>26</sup> Scottish Government, “Enhancing Learning and Teaching Through the Use of Digital Technology: A digital learning and teaching strategy for Scotland” (2016)  
<https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2016/09/enhancing-learning-teaching-through-use-digital-technology/documents/00505855-pdf/00505855-pdf/govscot%3Adocument/00505855.pdf?forceDownload=true>

<sup>27</sup> PISA, “Programme for International Student Assessment (PISA) 2018: Highlights from Scotland's results” (2018)  
<https://www.gov.scot/binaries/content/documents/govscot/publications/statistics/2019/12/programme-international-student-assessment-pisa-2018-highlights-scotlands-results/documents/programme-international-student-assessment-pisa-2018-highlights-scotlands-results/govscot%3Adocument/programme-international-student-assessment-pisa-2018-highlights-scotlands-results.pdf?forceDownload=true>

embedded into the day-to-day lives of children and young people, they do not offer any insight in the competence of the user, or the impact of these devices in their learning. Due to the COVID-19 pandemic, the 2021 PISA report is now expected in 2022.

The Behaviour In Scottish Schools Research is also highlighted as an indicator to the success of the Scottish Government Strategy, yet this has not been updated since 2016. At a meeting of the Scottish Advisory Group on Relationships and Behaviour in Schools in November 2020<sup>28</sup>, the advisory group discussed the outstanding research and outlined that questions for this research were with contractors. No further updates have been published on the Scottish Government website.

**Figure 3: Measurements of success as outlined in the Scottish Government strategy, “Enhancing Learning and Teaching Through the Use of Digital Technology: A digital learning and teaching strategy for Scotland”<sup>29</sup>**

Indicator	How it will help measure success
Glow usage	Glow provides access to a range of digital tools and services that can enrich learning and teaching. An increase in the usage of Glow will indicate that more learners and educators are incorporating digital technology into education.
Qualitative data from school inspection reports	When undertaking inspections, HM Inspectorate at Education Scotland look for the effective and appropriate use of digital technology. If inspection reports show an increase in the effective and appropriate use of digital technology then it will indicate that this strategy is having an impact.
Number of schools in Scotland undertaking and completing appropriate digital awards	Awards and programmes such as Digital Schools Award Scotland and Microsoft's Showcase School status indicate that education establishments are embedding the use of digital technology within their learning and teaching.
Statistical publications	Statistical publications such as the OECD's ICT familiarity questionnaire (which forms part of PISA) and the Behaviour in Scottish Schools Research can provide us with a picture of the uptake and impact of digital technology on education. Education Scotland and the Scottish Government will commit to ensuring that such statistical analysis contains a digital technology focus where appropriate.

In 2019 Digital Schools reported a record number of schools achieving digital status. At the 2019 awards ceremony 114 schools, and for the first time, nurseries,

<sup>28</sup> Scottish Government, “Scottish Advisory Group on Relationships and Behaviour in Schools minutes: November 2020” (14<sup>th</sup> December 2020) <https://www.gov.scot/publications/scottish-advisory-group-on-relationships-and-behaviour-in-schools-minutes-november-2020/>

<sup>29</sup> Ibid.

were officially recognised. At the time of the 2019 awards 51% of Scottish Schools were signed up to the Digital School Awards.<sup>30</sup>

Whilst there has been significant policy directives and investment to get digital and mobile devices into schools in Scotland, there has not yet been a Scottish Government review of the effectiveness of these devices on teaching and learning.

### **Attainment from using mobile devices**

A 2015 literature review conducted by the Scottish Government examined 100 academic papers exploring the link between digital equipment and attainment. Their key findings from this research were as follows:

“There is conclusive evidence that digital equipment, tools and resources can, where effectively used, raise the speed and depth of learning in science and mathematics for primary and secondary age learners. There is indicative evidence that the same can be said for some aspects of literacy, especially writing and comprehension. Digital technologies appear to be appropriate means to improve basic literacy and numeracy skills, especially in primary settings.

“The effect sizes are generally similar to other educational interventions that are effective in raising attainment, though the use of digital learning has other benefits. Also, the extent of the effect may be dampened by the level of capability of teachers to use digital learning tools and resources effectively to achieve learning outcomes. More effective use of digital teaching to raise attainment includes the ability of teachers to identify how digital tools and resources can be used to achieve learning outcomes and adapting their approach, as well as having knowledge and understanding of the technology. This applies in all schools.

“Where learners use digital learning at home as well as school for formal and non-formal learning activities these have positive effects on their attainment, because they have extended their learning time. This is particularly important for secondary age learners.”<sup>31</sup>

A 2011 study, referenced within the Scottish Government literature review highlighted how attainment can be improved through the use of digital devices. They concluded:

- “Using digital resources provided learners with more time for active learning in the classroom;
- “Digital tools and resources provided more opportunity for active learning outside the classroom, as well as providing self-directed spaces, such as blogs and forums, and access to games with a learning benefit;
- “Digital resources provided learners with opportunities to choose the learning resources;

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<sup>30</sup> Digital Schools Awards Scotland, “Record number of schools in Scotland achieve digital schools status” (September 2019) <https://www.digitalschoolsawards.co.uk/news/record-number-schools-scotland-achieve-digital-schools-status>

<sup>31</sup> Scottish Government, “Literature Review on the Impact of Digital Technology on Learning and Teaching” Children, Education and Skills (November 2015) <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2015/11/literature-review-impact-digital-technology-learning-teaching/documents/literature-review-impact-digital-technology-learning-teaching/literature-review-impact-digital-technology-learning-teaching/govscot%3Adocument/00489224.pdf?forceDownload=true>

- “The resources provided safer spaces for formative assessment and feedback.”<sup>32</sup>

Research published by PISA in 2015, however, found that there wasn’t a definitive link between using Information and Communications Technology (ICT) and pupil outcomes. Their research also suggested that the amount of time that students spent using computers was important. This research concluded that:

- “Resources invested in ICT for education are not linked to improved student achievement in reading, mathematics or science.
- “In countries where it is less common for students to use the Internet at school for schoolwork, students’ performance in reading improved more rapidly than in countries where such use is more common, on average.
- “Overall, the relationship between computer use at school and performance is graphically illustrated by a hill shape, which suggests that limited use of computers at school may be better than no use at all, but levels of computer use above the current OECD average are associated with significantly poorer results.”<sup>33</sup>

Within the PISA study they found that across countries and economies, the amount of ICT resources available to students is positively related to students’ performance. However, much of this association reflects the overall amount of educational resources available to students, as well as school systems’ past levels of performance. The strength of the relationship weakens considerably when adjusting the level of ICT resources for the variation in per capita income across countries/economies, and becomes mildly negative when also controlling for the system’s average performance in earlier PISA assessments.

In fact, PISA data shows that after taking into consideration the capita GDP and accounting for initial levels of performance, countries that have invested less in introducing computers in school have improved faster, on average, than countries that have invested more. Results are similar across reading, mathematics and science. Figures 4 and 5 from the PISA study shows that, between 2003 and 2012, students’ performance in mathematics deteriorated in most countries that had reduced their student-computer ratios over the same period (after accounting for differences in per capita GDP).

The report authors suggest that one possibility for this is that such school resources were, in fact, not used for learning. But overall, even measures of ICT use in classrooms and schools show often negative associations with student performance. Average reading proficiency, for instance, is not higher in countries where students more frequently browse the Internet for schoolwork at school.

An alternative possibility is that resources invested in equipping schools with digital technology may have benefitted other learning outcomes, such as “digital” skills, transitions into the labour market, or other skills different from reading, mathematics and science. However, the associations with ICT access/use are

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<sup>32</sup> Jewitt, C., et al., “The use of learning platforms to organise learning in English primary and secondary schools. Learning, Media and Technology” (2011)

<https://discovery.ucl.ac.uk/id/eprint/1520162/1/Jewitt2011Use335.pdf>

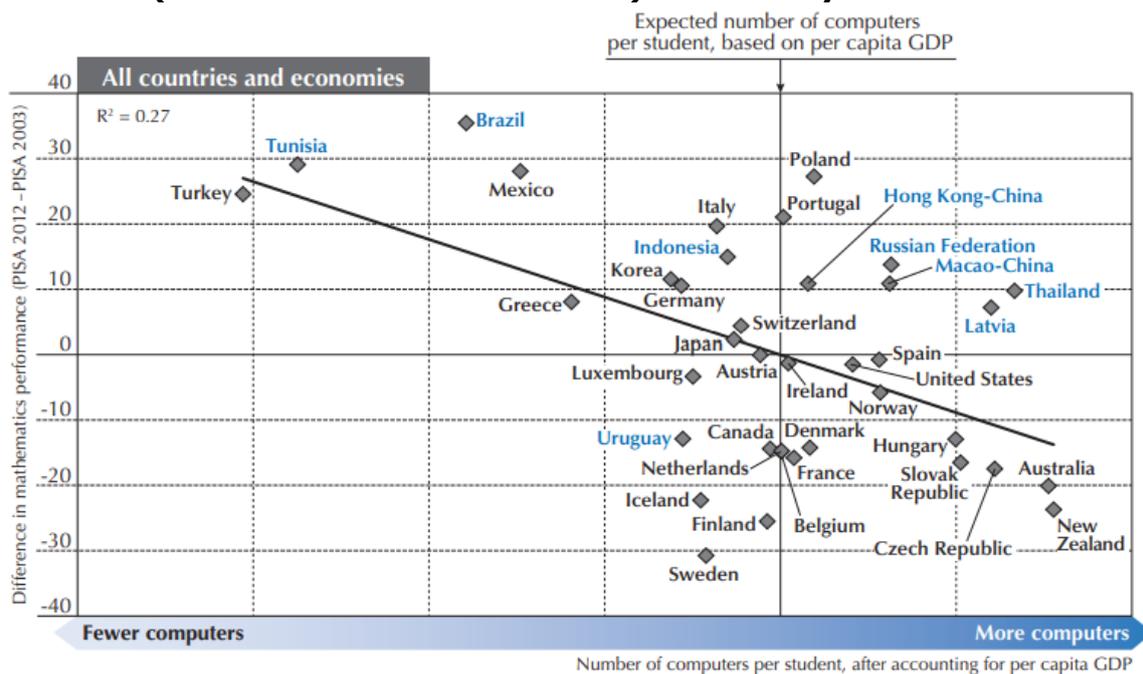
<sup>33</sup> PISA, “Students, Computers and Learning: Making the Connection” (2015)

<https://www.oecd.org/publications/students-computers-and-learning-9789264239555-en.htm>

weak, and sometimes negative, even when results in digital reading or computer-based mathematics are examined, rather than results in paper-based tests. In addition, even specific digital reading competencies do not appear to be higher in countries where browsing the Internet for schoolwork is more frequent.<sup>34</sup>

It should be noted that as the 2015 PISA study uses a 2012 dataset, these findings may now be significantly different when compared to the use of computers and ICT in today's OECD schools.

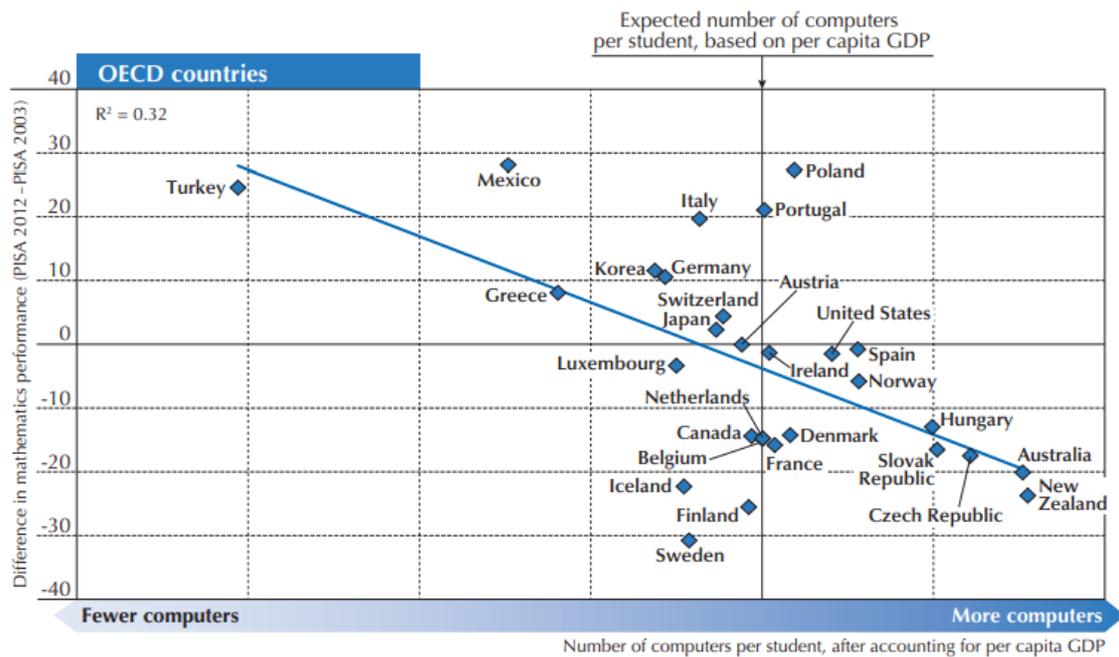
**Figure 4: Trends in mathematics performance and number of computers in schools (all countries and economies) PISA study 2015<sup>35</sup>**



<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

**Figure 5: Trends in mathematics performance and number of computers in schools (OECD countries) PISA study 2015**



### Mobile devices in primary, secondary and special education

The 2015 Scottish Government literature review on digital devices found there is promising evidence that digital equipment can support learners with learning difficulties. One study found that among a small number of learners the majority benefited from using an iPad to increase numeracy.<sup>36</sup> While another found that literacy among a group of learners with learning difficulties increased when they were provided with a computer graphics organiser (they wrote more words and included more story elements in their composition).<sup>37</sup>

A 2009 review of 11 studies of using digital tools with learners with learning difficulties for maths found no conclusive evidence, though most of the studies had a positive effect on addition skills. Having digital resources can improve numeracy skills such as subtraction.<sup>38</sup> A further 2009 study found that, among 8-12 year-old learners in some special schools in the Netherlands, the approach to learning and practising subtraction in the e-learning resources had a positive effect on their competence (measured by comparing their scores on online tests using the tool and using pen and paper). They argued that the learners were better able to see their mistakes and to better understand what went wrong.<sup>39</sup> A 2013 study demonstrated how virtual interactive worlds can be used to enable a small group of secondary age looked after children to develop their teamwork and negotiation skills.<sup>40</sup>

<sup>36</sup> O'Malley, P., et al., 2013. Effectiveness of Using iPads to Build Math Fluency

<sup>37</sup> Gonzalez-Ledo et al. 2015. The Effects of Computer Graphic Organizers on the Narrative Writing of Elementary School Students with Specific Learning Disabilities. *Journal of Special Education Technology*, Jan.

<sup>38</sup> Seo and Bryant. 2009. Analysis of studies of the effects of computer-assisted instruction on the mathematics performance of students with learning disabilities. *Computers & Education*, Nov.

<sup>39</sup> Peltenburg et al., 2009. Mathematical power of special-needs pupils: An ICT-based dynamic assessment format to reveal weak pupils' learning potential. *British Journal of Educational Technology*, March.

<sup>40</sup> Devlin, A et al. 2013. 'Inter-Life: a novel, three-dimensional, virtual learning environment for life transition skills learning'

The Scottish Government literature review concluded that while many studies clearly focus on specific learners in terms of age, settings (primary, secondary, special education) and domestic circumstances, none make any comparisons between the impact of digital technologies on educational priorities for different age groups. As a consequence, it has not been possible to identify any differences in the use and impact of digital technology in primary and secondary school settings. However, it is generally the case that the impacts found apply relatively equally to primary and secondary school learners.<sup>41</sup>

### **Mobile devices and pupil behaviour**

An OECD study in 2019 looked into the impacts of technology of children and young people. This study looked at the general day to day use of technology, rather than its use within the classroom. However, their findings are important to note as it demonstrates how prevalent technology is within children and young people's lives, and the effects it has on their brains, cognition and wellbeing even before stepping into the classroom. On a typical weekday, students in OCED countries spent more than two hours online after school – an increase of 40 minutes since 2012.<sup>42</sup>

This research also explains that the brain is plastic, which suggests that it changes based on our experiences. This is especially prominent in the earlier years, and research suggests rapid development and considerable plasticity in the brains of new-borns through the first few years of life. Certain regions of the brain are more plastic than others, such as the hippocampus for example, which is implicated in learning and memory.<sup>43</sup> This research issues caution around any study that claims to have definitively proven that brain changes have come about solely because of technology use:

"Both nature and nurture play a role in the development of children and adolescents' brains and cognitive skills. Furthermore, measuring these changes in cognitive skills or brain "reorganisation" is not always clear cut, and does not produce definitive results. Consequently, shock headlines touting total restructuring of children's minds as a result of technology use are not based on empirical evidence and are inaccurate."<sup>44</sup>

This literature review did offer some concluding features across each of the studies examined:

- "Blue light affects melatonin production and can affect sleep – in conjunction with good sleep hygiene, limiting access to blue light before bedtime or using blue light glasses can help mitigate this.

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<sup>41</sup> Scottish Government, "Literature Review on the Impact of Digital Technology on Learning and Teaching" Children, Education and Skills (November 2015)  
<https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2015/11/literature-review-impact-digital-technology-learning-teaching/documents/literature-review-impact-digital-technology-learning-teaching/literature-review-impact-digital-technology-learning-teaching/govscot%3Adocument/00489224.pdf?forceDownload=true>

<sup>42</sup> OCED, "Impacts of Technology Use on Children: Exploring literature on the brain, cognition and well-being" (January 2019)  
<https://www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=EDU/WKP%282019%293&docLanguage=En>

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

- “Moderate internet use can help children build rapport with their peers, and probably does not displace engaging in physical activity or other health-promoting behaviours.
- “Not all media is created equal – active versus passive engagement, violent versus entertainment versus educational content, and age-appropriateness can impact child outcomes.
- “Co-viewing provides opportunities for “scaffolding”, and can help children understand onscreen content; spending quality time with parents/caregivers might be more important than the type of activity engaged in together (i.e. screen versus non-screen).”

“Despite widespread attention in both media and policy circles, there are some areas of the research that require more clarity or agreement across scientific and policy communities, including:

- “if using technology is the cause of various cognitive/behavioural outcomes (i.e. attention problems or conduct problems)
- “if using technology is implicated in restructuring parts of children’s brains – as mentioned in Section 1.1.2, a “total rewiring” is highly unlikely
- “if extreme use of certain technologies warrants an “addiction” label, or is this a pathologising of normal childhood behaviours
- “if technology does impact children’s cognitive/emotional/brain development, the causal mechanisms are unclear
- “if there are real health risks associated with technology use.”<sup>45</sup>

A study conducted by the London School of Economics (LSE) in 2015 examined the impact of banning phones within classrooms in England. The found that removing phones from the classroom can have a positive impact on pupil performance. They conclude:

“The existing literature on the impact of technology in the classroom implies that the unstructured presence of technology has ambiguous impacts on student achievement. We add to this by illustrating that a highly multipurpose technology, such as mobile phones, can have a negative impact on productivity through distraction. Schools that restrict access to mobile phones subsequently experience an improvement in test scores. However, these findings do not discount the possibility that mobile phones could be a useful learning tool if their use is properly structured. Our findings suggest that the presence of mobile phones in schools should not be ignored.

“Finally, we find that mobile phone bans have very different effects on different types of students. Banning mobile phones improves outcomes for the low-achieving students (14.23% of a standard deviation) the most and has no significant impact on high achievers. The results suggest that low-achieving students are more likely to be distracted by the presence of mobile phones, while high achievers can focus in the classroom regardless of whether phones are present. Given 18 heterogeneous results, banning mobile phones could be a low-cost way for schools to reduce educational inequality.”<sup>46</sup>

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<sup>45</sup> Ibid.

<sup>46</sup> Louis-Philippe Beland and Richard Murphy, “Ill Communication: Technology, Distraction & Student Performance” CEP Discussion Paper No 1350 (May 2015) <https://cep.lse.ac.uk/pubs/download/dp1350.pdf>

In a tertiary setting, researchers Kuznekoff and Titsworth found that students who did not use smartphones while participating in a lecture wrote 62 per cent more information in their notes and were able to recall more information than their phone-using counterparts. A subsequent study by the same authors found similar results. This time, students who did not use their mobile phones, or used them for class-related content, earned higher grades and scored higher on information recall than students who used their phone for unrelated purposes.<sup>47</sup>

An article published within the Australian Psychological Society magazine reported interviews with 628 high school students on their perceptions of mobile phones in the classroom. This research found that, not only were the vast majority of them already using their phones at school, but also their views as a group were largely discrepant. Most students (70 per cent) could identify benefits associated with mobile phones in the classroom, such as increased engagement, motivation for learning, creativity and productivity. However, almost a third of the cohort reported concerns regarding disruption and misuse of mobile phones – particularly under exam conditions – and harmful activities such as cyber bullying and sexting. As for teacher attitudes towards mobile phone use, the research has been mixed, with some researchers demonstrating positive support for mobile phones in the classroom and others suggesting they should be left at home.<sup>48</sup>

### **Digital poverty**

A 2021 EIS report into digital poverty highlighted the ongoing inequality that many learners face. The 2019 Scottish Household Survey highlighted that whilst 96% of households in the 20% least deprived areas had access to the internet, only 82% of households in the 20% most deprived areas had access. This inequality is even more stark when examined on the basis of income. 65% of families with an income of less than £10,000 per year had internet access- that leaves over a third of households in that income bracket with no access at all. When it comes to those earning more than £40,000 per year, nearly all (99%) have access.

Between those two extremes, there are also the scenarios that see sharing of devices and broadband/data between siblings and/ or between children and parents. This clearly has implications for young people's school experiences.

The extent to which young people are able to participate in learning activities that require the use of Wi-Fi or personal data when working on homework is very much dependent on family income. Family income continues to be a determining factor in the ability of pupils to make use of personal data to access the internet when in class, as increasingly pupils have been prompted to do for certain learning activities in school. For the young people living in the 20% most deprived households, lack of internet access and the associated stigma are most definitely serious issues.

During the pandemic, the increased reliance on digital learning further

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<sup>47</sup> Jeffery H. Kuznekoff and Scott Titsworth "The Impact of Mobile Phone Usage on Student Learning" (2013) 62:3, 233-252, DOI: 10.1080/03634523.2013.767917

<https://www.tandfonline.com/doi/abs/10.1080/03634523.2013.767917?journalCode=rced20>

<sup>48</sup> Psychopaedia, "Mobile phones in the classroom: A helpful or harmful hindrance?" (November 2017)

<https://psychopaedia.org/learning-and-development/mobile-phones-in-the-classroom-a-helpful-or-harmful-hindrance/>

exacerbated the impact of the digital divide on those young people. This is in the context of more than one in four (260,000) children being in poverty today with current forecasting that the figure is set to rise further to 29% by 2023-24.<sup>49</sup>

During the school closures as a result of the COVID-19 pandemic 64% of members responding to an EIS survey said that pupils having no access to technology was a barrier to home learning. Most said that their highest attaining students were engaging better with online learning than the lowest attaining.<sup>50</sup>

The Scottish Government Equity Audit published early in 2021 highlighted also that:

“Variation in the availability of technology for children and young people was evident, with socio-economically disadvantaged children and young people being most negatively affected.”

Widely reported during the earlier stages of the pandemic, in the media and by teachers, and evidenced by research carried out by EIS FELA, was that many young people were solely dependent on mobile phones to access lessons on digital platforms, conduct research and write assignments. Although young people in these circumstances had ‘access to a device’, the device having only a small screen and keyboard, was insufficient for and entirely unsuited to, their learning needs.<sup>51</sup>

## **Summary**

From the research available it is clear there are educational benefits of using mobile devices within education settings. As young people are widely exposed to digital technology within their homes and external environments, there is a strong desire from children and young people to use technology within their day-to-day schooling.

There are also demonstrable benefits of using technology within education, with improved educational attainment reported by some researchers. Yet there is also evidence that mobile devices, especially mobile phones, can be disruptive to classroom learning, especially for lower attaining students.

The research from the OECD in particular highlights the need to find a ‘sweet spot’ in terms of usage. Their findings suggest that some use of digital devices within the classroom is better than none at all, but too much can have an adverse effect on attainment and some learning outcomes. From the studies highlighted, teacher input and planning improves the outcomes of pupils using digital devices meaning that deciding when and how to implement mobile devices within their classrooms must be determined by teacher professional judgement.

Despite the political promises to deliver devices and internet connections to every pupil in Scotland, there still seems to be considerable barriers to its delivery, with the Scottish Government unable to confirm how many more devices are needed and when this political ambition will be achieved. If digital devices are to be fully

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<sup>49</sup> EIS, “EIS Briefing on Digital Poverty” (October 2021) <https://www.eis.org.uk/Child-Poverty/DigitalPoverty>

<sup>50</sup> EIS, “Teaching During the Covid-19 Shutdown” (May 2020) [Teaching During the Covid-19 Shutdown](https://www.eis.org.uk/Teaching-During-the-Covid-19-Shutdown)  
([eis.org.uk](https://www.eis.org.uk))

<sup>51</sup> EIS, “EIS Briefing on Digital Poverty” (October 2021) <https://www.eis.org.uk/Child-Poverty/DigitalPoverty>

embedded into the education system as the Scottish Government guidance suggests, then equity must be a key priority to ensure there is not further widening of the poverty-related achievement and attainment gap as a result of the use of digital devices.

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## **AGM 2021 Resolutions: Flexible Route Probationers**

### **Introduction**

In 2021 the following motion was passed at EIS AGM:

*'That this AGM calls on Council to investigate and report on the proportion of Flexible Route Probationers (across all sectors) who successfully complete probation using this route. Use this to:*

- a) identify issues and potential barriers affecting members choosing the Flexible Route option, and*
- b) inform guidance to members and local associations.'*

The actions associated with this resolution were as follows:

- A freedom of information ('FoI') request was sent to GTCS subsequent to the AGM, and the data received was reviewed by the Education and Equality Department. We requested the following data:
  - *the numbers who have started the Flexible Route over the last five years;*
  - *the numbers who have completed the Flexible Route over the same period; and*
  - *any data or intelligence which GTCS held in relation to the reasons why people have elected not complete the process.*
- Analysis of statistical data held on the EIS membership database in relation to Flexible Route Probationers to inform equality and diversity considerations
- Numbers of Flexible Route Probationers mapped across local authority areas
- Focus group with Flexible Route Probationers held on 16 March to gain insight into the challenges, barriers and opportunities arising from the Flexible Route approach across local authorities, with feedback captured through a Padlet
- Analysis of all the information gathered to report to Education Committee and provide draft advice for consideration.

### **What is the Flexible Route and how does it differ from the Teacher Induction Scheme?**

The Flexible Route provides a pathway to attain Full Registration with GTCS for teachers who:

- are not eligible to join the Teacher Induction Scheme ('TIS')
- have decided to opt out of the TIS
- can't commit to a full-time post

- want to complete their probationary period somewhere other than in a Scottish state school
- are registered in more than one subject, and are looking to gain full registration in a second subject.

Probationers following the Flexible Route will:

- be required to complete 270 days of teaching experience to reach the Standard for Full Registration (as opposed to 190 days in the TIS)
- have 5 years to complete probation (as opposed to 3 years in the TIS)
- have no entitlement to support (unlike the mentor provided in TIS)
- have to find and secure their own teaching posts in schools (unlike the allocation to a school as a probationer in the TIS)
- have no reduction of class contact time
- require to meet and evidence that they have met the Standard for Full Registration.

### GTCS data on the Flexible Route

In responding to the FoI request, GTCS indicated that they could only report on the numbers of those probationers who have entered the Flexible Route, having qualified in Scotland (ie come directly from a Scottish higher education institute into probation). They were unable to extract any further information about other Flexible Route Probationers. The figures given in the table below should be read in this light.

The summary table below shows the year of provisional registration and of those who registered that year<sup>52</sup> and how many have and have not yet gained full registration. (e.g. in 2018 there were 356 starting the Flexible Route and of those, 266 have gained full registration with 90 still having provisional registration).

Student Applicants - Flexible Route Completed	Provisional Registration Date by Year						Grand Total
	2017	2018	2019	2020	2021	2022	
Complete	101	266	135	16	2		520
Not Complete	106	90	84	57	154	29	520
<b>Grand Total</b>	<b>207</b>	<b>356</b>	<b>219</b>	<b>73</b>	<b>156</b>	<b>29</b>	<b>1040</b>

In response to the request for information about data or intelligence around the reasons given for non-completion of the process, GTCS responded that there are many and varied reasons. Examples cited were

- difficulty finding suitable posts in their local area
- changes in family circumstances
- decisions to travel
- a return to advanced studies

Of the 1040 total referred to above, 981 are from the Primary sector.

<sup>52</sup> Data gathered on 3<sup>rd</sup> February 2022

## **Engagement with Flexible Route Probationers**

From the EIS membership database, we identified 257 members, who are listed as having undertaken, or are still in the process of undertaking, the Flexible Route to registration from 2018 until November 2021.

We wrote out to those members and invited them to attend a focus group, held on Wednesday, 16<sup>th</sup> March. In advance of the meeting, we asked them to reflect on the following:

- their reasons for choosing the Flexible Route
- the advantages or benefits of the Flexible Route
- the barriers or challenges encountered
- the support, if any, available to them
- improvements to the Flexible Route to registration.

Of those invited, 17 responded and expressed interest in participating in the focus group, with another member indicating that they would submit written feedback. On 16<sup>th</sup> March, 9 members attended the focus group. Following wide-ranging discussion, members were invited to provide further comment in a Padlet. The responses can be accessed through this link - [https://padlet.com/education\\_equalitydept/xpwd5ubyouzbsyk1](https://padlet.com/education_equalitydept/xpwd5ubyouzbsyk1)

## **Information gathered from Focus Group**

- *Reasons for choosing the Flexible Route*

The following reasons were highlighted as key factors in influencing the decision to seek Full Registration through the Flexible Route:

- Unless they wished to re-qualify in Scotland, the Flexible Route was the only option available to members who had qualified as a teacher outside Scotland (in England, Greece, Spain and Canada)
- As a result of caring responsibilities or disability, some members could not undertake full-time employment and so, could not qualify through the TIS
- Some members had elected to take a break after completing their teaching qualification and the TIS was not open to them
- At the end of the TIS, one member was advised that they would require to undertake an extension of the probationary period under the TIS or switch to the Flexible Route
- One member was allocated to a different local authority from that in which she lived and as a result of financial hardship and caring responsibilities was unable to relocate or travel to the assigned school to undertake the TIS. She tried, without success, to be assigned to a school nearer to her home.

- *Advantages of the Flexible Route*

Unsurprisingly, the main benefit of this route to registration was that it afforded

members flexibility. They could choose when and where they worked; how many hours they worked; and there is no requirement to complete the 190 days of teaching experience within one school year. Those members who had qualified outwith Scotland also cited this as a benefit as it enabled them to achieve full registration without having to go to the expense and effort of re-qualifying in Scotland. Some indicated that had this route not been available, then they would not have been able to continue their teaching careers in Scotland.

- *Barriers and Challenges of the Flexible Route*

There were a number of barriers and challenges cited by members during the focus group:

- Difficulty in finding schools which are willing to take Flexible Route Probationers
- A lack of understanding of, or familiarity with, the Flexible Route in schools and importantly, of their role in the process
- Lack of clarity (and therefore of consistency) at local authority level about what posts Flexible Route Probationers can apply for
- Changing and varying expectations from different schools
- Workload pressures - as Flexible Route Probationers are not given any remission from class contact time whilst still being expected to undertake the same level of professional learning as TIS probationers
- Not having a GLOW account was cited as a barrier for all supply teachers, including those on the Flexible Route
- Not being able to access the GTCS profile at the beginning of the probationary period as a result of delays by GTCS
- Lack of support – with no mentor at school or local authority level and reported delays by GTCS in responding to emails, members said that they felt feeling isolated and alone
- A lack of clear, accessible written guidance and support for Flexible Route Probationers, outlining the requirements and the settings in which relevant service could be completed
- For those qualified outwith Scotland, they reported additional workload challenges in gaining knowledge and understanding of the Scottish Education system and the curriculum whilst completing the required number of teaching hours in schools
- No support with the online profile and preparation for interviews
- A negative perception of the Flexible Route, resulting in perceived inequality of opportunity when applying for posts, when qualified
- Lack of uniformity of approach to support for Flexible Route Probationers
- Being paid the same as probationers on the TIS with no remission in class contact time
- The length of time taken to complete the Flexible Route can mean that these probationers are on lower pay levels for longer
- More exposure to COVID than those going through the TIS as they are often visiting multiple schools on supply contracts
- Feelings of despair that they might never finish the probation period which are heightened by isolation.

- *What supports are available?*

Members highlighted the unofficial support they had received from colleagues in school.

One member indicated that their local authority provided a central mentor for Flexible Route Probationers and that some schools offered an in-school mentor to those who were on longer term supply contracts. This appeared to be the exception, however, and it was also noted that long term supply can be difficult to access in practice.

Another member referred to the Steeping Stones Early Career Teacher support programme which they felt had been helpful.

- *What could improve the Flexible Route to Registration?*

Members made a number of suggestions about potential improvements which could be made to support Flexible Route Probationers:

- A dedicated and accessible mentor as standard– preferably in the school in which the probationer is teaching but at least, at authority level;
- Clear guidance and expectations comparable to that available for those in the TIS;
- the ability to match teachers geographically to teaching positions in their area;
- the ability to attend mandatory professional learning in working time in the same way as probationers on the TIS to ensure equity of opportunity (otherwise Flexible Route Probationers are turning down supply work to attend courses in their own time, and for which they are not paid)
- removal of the divide which means that those who are financially able to move to undertake the TIS have greater opportunities than those who can't.

### *Geographical Spread*

From the EIS database, we have mapped Flexible Route Probationers across local associations. The following table shows the breakdown of numbers across Scotland<sup>53</sup>:

Local Associations	Members qualified/qualifying through the Flexible Route
Aberdeen City	30
Aberdeenshire	30
Angus	3

<sup>53</sup> As at 28<sup>th</sup> March 2022

Argyll and Bute	4
Dumfries and Galloway	9
Dundee	8
East Ayrshire	4
East Dunbartonshire	4
East Lothian	6
East Renfrewshire	3
Edinburgh	37
Falkirk	1
Fife	10
Glasgow	23
Highland	14
Inverclyde	2
Midlothian	4
Moray	8
North Ayrshire	4
North Lanarkshire	6
Perth and Kinross	3
Renfrewshire	3
Shetland	6
South Ayrshire	5
South Lanarkshire	3
Stirling	5
The Scottish Borders	9
West Dunbartonshire	6
West Lothian	6
Western Isles	1

It is perhaps unsurprising that there are larger number of members accessing/having accessed the Flexible Route in Glasgow and Edinburgh. However, it is worthwhile highlighting the large proportion of members in the north of Scotland, who have embarked upon the Flexible Route as a pathway to registration.

#### *Equality and Diversity Data*

We requested information from the GTCS about the number of Flexible Route Probationers with protected characteristics but have been advised that they 'do not hold equality and diversity information in relation to this group of probationers as [they have indicated that] this has no bearing on a student applying for registration'.

From the EIS database, however, we know that 191 of the 257 members are female. 8 members have reported having a disability.

The following table captures the information which members reported in terms of ethnicity:

<b>Ethnic Origin</b>	<b>Numbers</b>
African, Caribbean	3
Asian, Asian Sc	7
Mixed or Multiple	2

Other Ethnic Group	1
White Other	51
White Scottish	186
Would rather not say	7

With [BAME representation in the profession](#) overall sitting at 1.4%, these figures demonstrate that BAME teachers are over-represented in the Flexible Route cohort, with the percentage sitting at around 5%.

### **Analysis of the statistical data gathered**

From the statistical evidence provided by GTCS, we can see that:

- Only 50% of probationers in the reported period have successfully completed probation through the Flexible Route since 2017
- Since 2020, the numbers of probationers qualifying through the Flexible Route has fallen to 18, with no one completing the process so far in 2022
- Of the 1,040 probationers having accessed the Flexible Route since 2017, 981 are from the Primary sector.

It is noted that the data provided by GTCS is incomplete and does not present the total number of probationers embarking on the Flexible Route. Reporting only on those who have qualified in a higher education institution in Scotland and who have immediately chosen to go down this route, it omits information on the Flexible Route Probationers, who:

- have qualified in Scotland but had a break before starting their probationary period;
- have qualified outwith Scotland; and
- are Secondary teachers, seeking to qualify in an additional subject area.

They also do not hold data on the number of probationers who transfer from the TIS to the Flexible Route.

It is clear that COVID restrictions have had an impact on those being able to use this route to registration. With restrictions on visitors accessing schools, Flexible Route Probationers may have had greater difficulties in securing placements or short-term supply. This may be part of the reason why there is a significant decrease in the figures reported as entering and completing the route in 2020-22, with 240 probationers still holding provisional registration.

### **Analysis of the qualitative feedback provided**

The overwhelming evidence from members of the focus group was that despite the flexibility which this route to registration offers, there are significant barriers and challenges to overcome.

Members reported feeling isolated, with no dedicated support from schools or local authorities and a lack of clear, concise and cogent guidance from GTCS. They referenced a systemic lack of understanding about what is required to complete the Flexible Route and a consequential feeling that registration through this route was undervalued and viewed as inferior to registration through the TIS.

Acknowledging the value which coming together as a focus group had provided, the group reflected on the benefit which additional networking opportunities could bring. They recognised the value in collegiate dialogue and the support which

shared experiences could provide throughout the process.

From the equality and diversity data gathered from the EIS database and the information from those members who participated in the focus group, we know that members who have/ are accessing the Flexible Route are predominantly female; there is a significantly higher proportion of BAME teachers; 8 members, equating to just over 3% of the cohort, have reported having a disability; and others have referenced caring responsibilities as a key reason for opting for this route to registration.

In these circumstances, the EIS would question why the same level of support and opportunity is not afforded to these probationer teachers as that which is available to those on the TIS.

It is clear that the challenges identified could be addressed through implementation of the following key supports and actions:

- the allocation of a mentor to Flexible Route Probationers at school or local authority level;
- the production of clear, concise and cogent guidance and training for probationers on the Flexible Route, ensuring parity with that available to those on the TIS;
- the provision of dedicated training to ensure a greater understanding by Senior Management Teams of the Flexible Route and the support which probationers accessing this require;
- promotion of the value and experience which registration through the Flexible Route brings; and
- equal access within working hours to professional learning, on the same basis as probationers on the TIS.

### **Guidance for Local Associations**

- ✓ Consider conducting an audit to find out the number of Flexible Route Probationers in your local authority. Where the number of Flexible Route Probationers appears small, consider working with other local associations to conduct audits across RIC or Organiser areas;
- ✓ Work with your Organiser or where appropriate, with other local associations, to host events specifically for Flexible Route Probationers, listening to their voice and seeking to involve them in the work of the local association(s)
- ✓ Make inquiries to find out what supports are available for Flexible Route Probationers within your local authority
- ✓ Lobby for the provision of a mentor, at school level for those on medium- to long- term supply or centrally, where probationers are working across a number of settings
- ✓ Engage with the probationer support officer in your local authority and your local EIS Learning Rep to ensure that professional learning opportunities are extended to Flexible Route Probationers and that they are supported to attend without detriment
- ✓ Consider setting up a Network of Flexible Route Probationers to provide local support and foster collegiate dialogue. This could be an informal/ self-

organising network. Alternatively, where the number of Flexible Route Probationers is small, consider working with other local associations to establish Networks across RIC or Organiser areas.

**Recommended action at a national level:**

- ✓ Ascertain whether there has been any Equality Impact Assessment of Flexible Route arrangements conducted
- ✓ Highlight the importance of additional support, guidance and training in relation to the Flexible Route at the Strategic Board for Teacher Education and in discussions with COSLA
- ✓ Raise the issues identified in this report and the proposed support and actions to improve the experience of those undertaking the Flexible Route with GTCS.

April 2022

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## **Report on Practitioners' Experiences of Remote Learning**

### **Background**

The Education Committee was assigned the following resolution from the 2021 AGM:

**"That this AGM resolves to instruct Council to:**

- a) investigate and report on practitioners' experiences of remote learning across the Early Years, Primary, Secondary and ASN sectors, to include focus on digital access, workload, health and wellbeing, training in the use of digital devices and platforms, and professional learning in remote learning pedagogies; and**
- b) to use the findings to lobby the Scottish Government, Education Scotland and Local Authorities with the aim of improving support for practitioners in the delivery of future remote learning provision.**
- c) to investigate the provision of ICT for teachers and lecturers working from home and share findings with Council to inform subsequent campaigns."**

A survey of members was constructed and sent out several times on a sampling basis early in 2022, with the aim of reaching 1000 responses. (1000 responses are considered to achieve high statistical significance.)

In total, 7000 members were contacted, with the survey receiving a total of 648 responses, which are summarised in this report.

### **Findings**

- 1. During the periods of Covid-related school closure, to what extent did children and young people's access to digital devices limit or prevent their full participation in the remote learning provided by your establishment?**

More than half of respondents- 52.48%- said that insufficient access to digital devices limited or prevented children and young people's full participation in remote learning, either very significantly (15.7%) or a lot (37.31%). More than 40% said that it hindered participation a little, while only 6.04% reported that access to digital devices was not a problem at all. This signals the fact that digital poverty and inequity were strongly influential in determining how far children and young people were able to take part in the remote learning opportunities that their schools had organised, with many facing significant barriers to this arising from lack of access to devices.

## **2. Has there been any improvement since the first period of school closure as a result of intervention by the Scottish Government/local authority/the school?**

Under half- 44.32%- of respondents were able to report that the situation had improved as a result of Scottish Government or local authority intervention, since the first period of school closure. 31.88% indicated that they were unsure if the picture had improved with regards to young people's access to devices, whilst almost a quarter reported that there had been no improvement.

Where access to devices had increased, this was down to a number of actions including:

- young people being issued with devices by the school or local authority, or loaned to them by the school;
- some children being issued a Scottish Government bought device;
- in some areas, to address connectivity issues, dongles being issued to families but this was not a universal approach across the country;
- schools assessing the needs of children and families on an individual basis and responding;
- training provided by schools for young people in the use of devices and platforms;
- training provided by schools for parents in the use of devices and platforms;

Where devices were issued on a targeted basis, some families were missed, with the result that gaps continued because children within some families had to continue sharing devices. Where supply of devices was on a universal basis, this did not always result in the child being able to access remote learning online consistently as a result of home circumstances.

## **3. To what extent did young people's access to data/internet limit or prevent their full participation in the remote learning provided by your establishment?**

Only 6.19% of respondents said that there were no issues for the young people that they taught with regards to data and internet access limiting or preventing access to remote learning. Almost half-48.92%- said that data and internet issues were a little problematic for their learners. Almost 45% said that restricted connectivity affected their learners a lot (32.66%) or very significantly (12.23%).

These figures indicate that limited access to data and Wi-Fi were almost as problematic for many young people as access to digital devices themselves. This underlines that issuing devices to young people will not mean that they are all able to take part in learning activities that require the use of the internet.

Providing the requisite access to hardware is only part of the solution; access to sufficient data and WiFi is also critical. From other research into the use of digital devices ([embed link](#)), the EIS is aware that for some students access to electricity to power and charge devices has been inadequate as a result of their families' income being insufficient to cover the costs of fuel. With fuel prices now rocketing, the intersectionality of poverty, fuel poverty and digital poverty will doubtless and

very worryingly, intensify, meaning that other interventions will be required should it be necessary to revert to remote learning models at any time in the near future.

There are also implications here for expectations around the completion of homework that requires the use of digital devices and the internet.

**4. Has there been any improvement since the first period of school closure as a result of intervention by the Scottish Government and/or the local authority/and/ or the school?**

The responses to this question were less positive than for the question regarding improvements in access to digital devices. Only around a fifth- 22.40%- were able to report that action by national or local government had made a positive difference to young people's access to data and WiFi. More than half- 51.42%- were unsure if any relevant interventions had been made. More than a quarter- 26.18%- said that there had been no improvement in this regard over the course of the pandemic.

Among the positive interventions listed were:

- Schools providing dongles
- Local authorities providing dongles and pre-paid cards
- Purchase of data and WiFi packages for individual families
- Installation of internet switches by a local authority
- Devices installed with internet access
- Ensuring Hub provision enabled WiFi access for those who didn't have it at home

Whilst some of these interventions were made in rural areas, generally poor WiFi connectivity in those areas continued to present barriers for the young people living there.

**5. Besides access to digital devices and the internet, what other barriers have there been, if any, to young people accessing or participating in the remote learning provided by your establishment?**

Responses to this question underline that many children faced multiple barriers to participation in remote learning during the periods of school closure. Featuring highest among the reasons cited was low motivation, with almost all respondents- 92.7%- indicating this as a key reason for lesser or non-participation. This highlights again the critical role of teachers, support assistants and peers in young people's learning and that the quality of their experiences is dependent on good quality interactions with their teachers, other school staff and their fellow learners in the classroom.

A very large proportion of respondents- 87.17%- cited home circumstances as a barrier to young people's engagement and participation in home learning. Additional support needs were the reason cited by almost two thirds of respondents- 64.61% and closely related to that almost a fifth- 18.86%- reported that health reasons were a barrier to young people taking part in remote learning activities.

## **6. Where were the greatest challenges in meeting the needs of children and young people with Additional Support Needs during the periods of school closure?**

Asked where the greatest challenges in this regard were, respondents indicated in the greatest number that responding to young people's emotional needs was difficult- almost three quarters, 74.53%- said so. The next highest was responding to young people's social needs, with 70.94% of respondents reporting that this was challenging.

Again, these statistics point to the crucially important role of teachers and other school staff in supporting all young people, and perhaps especially those with social and emotional needs in school as they engage in the various learning activities. These responses from teachers are further evidence to suggest that children and young people with particular kinds of additional support need have struggled to adjust to the dynamics of online learning from home in contexts where their teachers have been present, not in the room with them, but on the screen and in the chat.

More than half of respondents indicated that they found it challenging to support young people with Autism (52.50%); those for whom English is an additional language (22.03%); and those who are looked after (15.00%). Teachers responding also indicated that it was challenging to meet the needs of learners with visual impairment (5.16%), hearing impairment (3.91%) and with physical disabilities (4.53%) within the remote learning context.

## **7. What were the barriers, if any, to you as a teacher being able to deliver remote learning during the periods of school closure?**

When asked about the barriers that teachers themselves faced, a range of responses were given. Highest among those were lack of professional learning on delivering learning remotely and/or digitally (more than half- 56.75%); a close second being lack of training in the use of digital devices/ platforms (52.57%); and third, at more than 40%, was teachers having their own childcare and/ or other caring responsibilities to undertake simultaneously to their teaching duties (41.32%).

These responses give an insight into the kinds of struggles that many teachers faced during the shifts to remote and online learning. The experience of delivering learning remotely during the first lockdown was unprecedented for the vast majority of teachers- that is understandable since no circumstances previously had required school closures on a national scale.

Nonetheless, teachers had to shift suddenly and swiftly to that mode of learning and teaching, and in spite of having had no prior training in how to do it, collectively worked it out and did it, albeit that barriers and challenges remained to be overcome. That it was done doesn't mean that it was easy or without stress for many given the pace at which the transition was made and the readiness of the profession to make such a shift.

In this respect, what is less understandable in an era of digitisation and in which the Scottish Government has been promoting digital learning and teaching, is that so many teachers had not been provided the requisite professional learning in the use of devices, software and platforms. This made the transition to the remote context all the more challenging and stress-inducing for many, many teachers.

On top of this, with schools and nurseries across the country being closed and strict rules in place governing social interaction, the thousands of teachers who are parents themselves, had their own children at home, many of them also requiring to work remotely with a degree of parental support, depending on age and stage.

That almost 80% of teachers are women and that worldwide women continue to shoulder a disproportionately high responsibility for childcare and care for elderly relatives within their families, it can be concluded that of the more than 40% of respondents reporting childcare and caring responsibilities as a barrier to their delivery of remote learning, and as an additional layer of stress impact during lockdown, the vast majority are likely to have been women.

## **8. How supportive was your employer in helping you to overcome such barriers?**

Just over a quarter of respondents- 26.46%- reported that their employer was very supportive in helping them overcome the barriers that they experienced when working in the remote learning context.

A third indicated that they were partly supportive, suggesting a mixed picture across the range of issues experienced.

26.61% were neutral on this question saying their employer was neither supportive nor unsupportive, whilst just over 13% said that their employer was unsupportive (10.55%) or very unsupportive (2.83%), which is concerning given the challenges that were being faced.

## **9. To what extent was your ability to provide remote learning to pupils during the periods of school closure impacted by your own access to devices?**

A matter often overlooked in discussions relating to remote and online learning has been teachers' access to digital devices and connectivity. Within this survey, almost a fifth- 18.49%- of respondents cited lack of access to digital devices as a barrier to them being able to deliver learning by online means. 15.11% reported that lack of access to data and WiFi was also a difficulty.

## **10. During the periods of remote learning, did you find your workload to increase significantly, increase a little, stay the same, decrease a little or decrease a lot?**

Almost 70% (69.44%) of respondents, said that their workload increased significantly during the periods of school closure, with a further 17.28% reporting

that it increased a little. 7.41% said that there was no change, whilst less than 6% said that it decreased a little (5.09%) or a lot (0.77%).

With teacher workload having been found over successive years prior to the pandemic to have been unsustainably excessive, these figures are indicative of the phenomenal workload pressures that the vast majority of teachers experienced during the periods of remote learning.

### **11. Have you ever been asked to provide remote learning to pupils who were self-isolating at home while also teaching your class in-person in school?**

Worryingly, a third of respondents indicated that they had been often asked to dual deliver education remotely and in-person simultaneously. Another quarter- 24.46%- reported that they had been asked to do this sometimes, with a further 14.86% indicating that they had been asked to dual-deliver once or twice. Only 27.4% of respondents indicated that they had never been asked to provide both in-person learning for young people in the classroom and remote learning for young people self-isolating at home at the same time.

The implications of this for teacher workload and wellbeing are very troubling. Given the array of needs and additional support needs in any class of children and young people, amidst large class sizes, and that teachers were already struggling to cope with this, that almost 60% would also be asked to teach within a virtual environment **at the same time** as delivering their learning, teaching and assessment responsibilities for children and young people in the physical context, is appalling.

It signifies that employers and government are simply not listening to the warnings about excessive teacher workload and the risk and reality of burnout and how these are impacting on recruitment and retention, and how a shortage of teachers to do everything that's required of the education service now, is also impacting on the quality of the learning experience for learners.

For the very large numbers of children and young people in classrooms whose teachers were also being asked to teach their peers who were at home, within the same lessons, this must have been a frustrating and unsatisfying experience as they could not be their teacher's top priority. This is especially so for pupils with additional needs who require extra support and attention from their teachers.

### **12. Have you received any training in the use of digital devices and platforms?**

The survey further probed around the issues of professional learning and training in the use of digital devices and platforms. In response to this question, 63.52% of respondents said that they had receive some but a significant number (36.48%) reported that they had not been provided any such training or professional learning ('PL').

Respondents left a series of comments in response to this question, which were indicative of a range of experiences with regards to training and PL. Some found it helpful or very helpful, particularly that which was very practical in focus and

which they completed alongside colleagues. Sometimes training found to be effective was delivered by respondents' own colleagues. Many said that rather than their school or local authority providing training, they accessed opportunities themselves.

Numerous others said that opportunities came too late, several saying that it wasn't offered until the second period of school closure, and numerous said that there wasn't enough professional learning, or that it was too basic, or of poor quality or that the pace was too fast for them to learn properly.

### **13. Aside from training in the use of digital devices and platforms, have you received any professional learning in remote learning pedagogies?**

The overwhelming majority of respondents- 86.86%- said that they had not had professional learning in remote learning pedagogies. Only 13.14% reported that they had received relevant professional learning.

Within the relatively small number of comments left in response to this question, the professional learning offered by Education Scotland in this area was said to have been helpful, with a small number of other experiences found to be effective having been delivered by school staff and by the local authority, or through personal professional reading.

Remaining comments suggested that the professional learning on offer was limited to certain contexts for learning and that individual professional reading was a relatively unsatisfying, unfruitful endeavour. One comment was quite illuminating as to the issues:

*'... the overwhelming issue was the lack of time to properly prepare high quality remote learning lessons. The sudden and temporary nature of remote learning meant that it just didn't make sense to try and completely reinvent what we were doing. The demands of parents for "live lessons" and the insistence of the school that we "check in" and track engagement also meant that a genuine remote learning course was never going to be possible. We ended up with the worst of both worlds.'*

These responses indicate that if the Education service is to be pandemic-proof, and if it is to build on the learning from the experiences of digital delivery, then:

- investment in quality professional learning for teachers is a must
- continued investment in ready-made online learning materials and lesson plans is also essential
- teacher professional judgement with regards to how learning is designed and enabled must extend to virtual spaces, also.

### **14. During the periods of remote learning, how often did you feel stressed as a result of your job?**

Policy-makers should take grim note of the fact that almost 70%- 69.2% - of respondents said that they felt stressed as a result of their jobs during school closure periods: all the time (42.73%) or frequently (26.47%). Only 30.8% said

that they occasionally felt stressed in this context.

That the majority felt under stress so sustainedly during these periods, again, should be stark evidence of one aspect of the negative health impacts of the pandemic upon teachers- a majority female workforce.

**15. During the periods of remote learning, what level of wellbeing would you say you felt within your job overall?**

Responses to the question focused on wellbeing are similarly concerning. Almost two thirds (65.38%) of respondents described their level of wellbeing during periods of remote learning as very poor (24.11%) or poor (41.27%).

Just over a fifth were ambivalent in answer to this question, reporting their wellbeing to be neither good nor poor.

Less than 13% of respondents (12.36%) indicated that their wellbeing was good (10.97%) or very good (1.39%).

**16. What were the critical factors, if any, that negatively impacted on your wellbeing during the periods of delivering remote learning?**

Teachers responding cited an array of factors that undermined their wellbeing during the periods in question.

Top of the list was lack of connection with children and young people- this is an element of teachers' work that they clearly missed greatly when school buildings were closed.

A very close second driver of poor wellbeing was increased workload with 72.56% of teachers citing this.

Related to both were lack of connection with colleagues at 65.58% and worry about learners at 64.34%.

Other dents to wellbeing were caused by:

- Working hours: 55.97%
- Sedentary working: 47.13%
- Patterns of working: 44.96%
- Increased demands from parents: 33.64%
- Worry about other school priorities: 17.05%

The figures for the previous two questions are not only reflective of teachers' experiences at the time, they are an indicator of their needs relative to recovery from the pandemic emotionally, psychologically and physically.

These are needs which cannot be overlooked or employers and the government will be doing a huge disservice to teachers whose massive efforts have kept educational provision going throughout the pandemic, even when school buildings were closed, at great cost to their own wellbeing.

Education recovery must also include recovery of teachers' wellbeing or this will

also compromise the quality of the learning experience- and the outcomes- for learners.

**17. Are there any additional comments that you wish to make in regard to your experiences of delivering remote learning over the past two years?**

Respondents left a variety of comments, a selection of which are presented under thematic headings below:

**Working under extreme pressure**

*'Had to adapt with very little notice and no training. Felt very isolated from colleagues which increased stress. Pupil work patterns meant a lot of questions in the evening when I'd been working from around 8am. Marking work and providing feedback took a huge amount of time... Little leeway for those with young children or children of school age.'*

*'...I think it is fair to say that after many years of teaching and working at a job I loved remote learning cast a dark shadow over my whole life's work. Something I am still scarred by and working hard to overcome.'*

*'My working hours often started at 5am with emails pinging and last till after 11pm - yes I appreciate that was my choice to answer but I felt as DHT I required to be there to support staff who were really struggling themselves, families - responding to work submitted and then my own workload including leading hubs for essential workers and ensuring children who required spaces got them it was a 7 day a week role at the time.'*

*'Found it extremely challenging trying to support the mental well-being of pupils and their families when other services E.g social work, out of school groups, befrienders etc were also unavailable. Some families went from over 30 hours of support per week to absolutely nothing.'*

*'Testing positive for Covid-19 during the 1st lockdown, having to provide significant care for family members also tested positive, while having to continue to work online throughout, was a significant challenge. The pressures to ensure all those pupils with ASN or other needs relating to safeguarding was a concern, pressure & high priority.'*

*'My personal circumstances meant sharing a laptop with my own children for their learning. Also my wifi was not up to the online class meets. I had to have my camera off otherwise I got kicked out of the meet. I worked most nights until 11/11.30pm making sure I had everything uploaded for next day.'*

*'I hated working remotely, particularly because of the expectation to use video technologies for teaching. I was worried about being recorded but we were made to provide at least one 'live' lesson everyday. I feel that I am not the same teacher as I was before the pandemic. My confidence has plummeted and I do not think I would continue to teach if I had to teach remotely again.'*

*'We were expected to work 13-14 hours/day 5 days a week and then 6-8 hours on the 6th day. No matter how often we said the workload was too much we were not allowed to reduce our input.'*

*'Impact on senior leaders in schools has been huge. Unreasonable demands from LA colleagues at very short notice. Lack of understanding from them as to what we were doing in schools. My school was open throughout 2*

*lockdowns with a great many children attending. Supporting colleagues has been difficult and I worried, and still do, about the impact on them. I am considering leaving the profession.'*

*'We did the best that we could with what we had. The constant criticism from the media and politically motivated parent groups such as 'Us For Them Scotland' made me feel even more miserable and stressed out.'*

*'One of the biggest pressures I felt was the bad press, making out teachers were having an extended holiday during the lockdowns, when the reality was that we were working harder than ever.'*

*'Working remotely, I worked from 7am to midnight most days barely stopping for food.'*

### **Covid safety**

*'Although remote learning increased my workload it felt much, much safer than being in the busy school building with hundreds of unvaccinated young people.'*

### **Lack of training/professional learning**

*'Training needs to happen. Staff who are confident with technology thrived but everyone else was left to struggle, figure it out for themselves and have their confidence totally eroded. The legacy is an upcoming exodus of many excellent and experienced staff.'*

### **Lack of teaching resources**

*'Teachers all over the country reinventing the wheel. It should have been fairly straightforward to get a taskforce of experienced remote learning teachers together to share units of work proven to be effective which schools could use and adapt as necessary.'*

*'Workload significantly increased due to the time it takes to produce quality remote learning materials, check work submitted and provide feedback to pupils. ... juggling creation of differentiated resources to engage all pupils and meet all pupil needs, find time to learn how to use new digital tools... frequently requires additional planning to ensure a 'plan b' should the technology fail.'*

*'Working from home had its own challenges and live sessions were tricky with others at home. Finding appropriate resources was very time-consuming.'*

### **Equity impact**

*'Education should be equal for all, lockdown highlighted that social, digital and emotional poverty mean that when our young people are not in school, we cannot secure equality in education. There should have been more collaboration in, and between authorities. Postcode lottery as to who had what, who could deliver. I think overall we all delivered in a time of crisis, but it highlighted the cracks in an outdated education system.'*

*'...I felt that for some children they had no one at home with the necessary skills to support them with digital learning or the motivation to help them and they also found the work delivered challenging.'*

*'I found the lack of parental engagement (due to work commitments/lack of confidence using technology/general lack of interest) had a huge impact on primary age pupils. This was probably the main reason many of my pupils did not engage. A small number of pupils made huge progress at home with good support from parents and many fell way behind without it.'*

### **Privacy issues**

*'Teacher images onscreen have easily been lifted and been put on tik tok by pupils in our authority. Am very fearful about the lack of teacher privacy online and how teacher images are so easily abused.'*

### **Parental engagement**

*'Parents did their very best but they were juggling their own workload too. Children may have been sharing devices. Internet issues were huge. My P6s had access to Chromebooks my P5s didn't. They relied on home devices. Parents messaged at all hours of day out work on seesaw at all hours of day/weekends as they tried to make it all work...'*

*'I... was verbally attacked by a parent at the end of a 'teams' lesson which came out of the blue and was upsetting. This was done without witnesses as it was online and I was unable to seek help from anyone.'*

*'Unfortunately parents are expecting their children to be where they would normally be in school, however this is not the case and parents are blaming the teachers not covid for this. Very stressful.'*

### **Flawed leadership**

*'More often than not instructions were coming from those who had never taught Remote Learning and Teaching remotely (as we all had) but it frequently felt like they did not want to listen to what was working well and what was not, instead sticking to their own agenda. Frequently it felt like the pandemic was viewed as more of a hindrance to those trying to 'tick boxes' rather than a global emergency.'*

*'In those circumstances people spend hundreds of hours developing such a course and there is little reason to duplicate that work. At a national level there should have been a coordinated approach to pay key teachers to produce a comprehensive set of quality teaching resources for widespread use.'*

### **Primacy of in-person learning and teaching**

*'Nothing compares or is as effective as face to face physical teaching methods. I say this as a very experienced primary practitioner, the wife of a very experienced secondary practitioner and the mother of children who had to access remote learning. Digital learning is limited especially the younger the child but significantly for all.'*

*'We've learned a lot and taken great strides but face to face gets best results for majority of pupils.'*

*'I hope we do not have to do it again. We are people who need human company and trying to relate to six year olds through IT was very challenging.'*

*'Remote learning did NOT work for children with complex needs. Barely any children completed the work set despite it being highly personalised to suit individual needs.'*

### **Some positive experiences**

*'More devices and training was required but we rose to the challenge and moved on a lot with digital learning and are in a better place now.'*

*'It was enjoyable on some level as I loved being at home with my disabled*

*partner. Also because we suffered two very close bereavements (my partner's parents both died of covid within 3 weeks), it was good to be able to stay at home to look after him.'*

*'I actually loved home learning and lockdown allowed me to develop and carry out CPD in areas that previously I wouldn't have had time for. My use and understanding of digital technology is now excellent and this allows me to embed it into my everyday teaching. I thrived, spent far too many hours training but loved every minute.'*

*'Generally I found some aspects of remote learning enjoyable - some pupils who are shy and struggle to speak out in class were happy to contribute via apps. Other pupils who are distracted in class by their peers were far more focused. I was able to have time away from the every day pressures of new initiatives, behaviour management etc to come up with new and engaging resources and strategies.'*

*'Very exciting and creative period, with the increase in digital skills a silver lining to the pandemic. Enjoyed the experience but in no rush to return to it!'*

### **Ongoing workload impacts**

*'There is still an expectation to provide remote learning materials after every lesson for every absent pupil. This is incredibly time consuming, yet absolutely no additional time has been given to teachers to provide this.'*

*'... my workload has increased because everything has to be digitalised.....PPT s and booklets need to be updated to all be digitalised, with links in them and all videos digitally. In the past we could pull out a paper sheet or a text book for a specific lesson. This is no longer acceptable unless they are both scanned. All work has to put onto teams and we have to update (every lesson) the progress of the class in there. I teach 11 classes and I have to update teams every week ( I don't do it every lesson).'*

*'...Pupils also expected you to be available 24/7. This is now a hangover from these lockdowns. I feel as though I can't switch off from my job. This is really bad for mental health.'*

### **Conclusions**

Lack of access to digital devices and internet connectivity has hindered children and young people's engagement with remote learning at all stages of the pandemic.

Whilst Scottish Government and local authorities have taken some steps to address such digital exclusion, the improvements have not yet been far-reaching or impactful enough.

Other barriers to learning during periods of Covid-related school closure cited by EIS members in large part relate to the necessity of in-school, in-person interactions between young people and their peers, and their teachers and support staff. For many children, remote learning could only ever be an emergency provision that requires to be much better resourced than we have seen so far, given the circumstances in which many children and families are living.

Members also reported in large numbers that additional support for learning needs and the inability to address these effectively by remote means was a significant barrier for many children and young people, and a huge challenge for them as

teachers trying to maintain continuity of learning for this group. This has implications for remote learning approaches and underlines the essential nature of in-person, school-based learning for learners with additional needs, especially social, emotional and behavioural needs.

The evidence gathered through this survey also points to major barriers for teachers in being able to deliver remote learning from home during lockdowns, namely the lack of training and professional learning in the use of digital devices and pedagogies, respectively; and the struggle, particularly for women teachers, to balance family childcare and caring responsibilities with those related to work when all other relevant care services were closed or access to them heavily restricted. Lack of access to digital devices and connectivity was also a significant factor for almost a fifth of teachers. Members reported a mixed picture of support from local authority employers to help resolve the challenges that they faced.

Other reported risks to teacher wellbeing were breaches of privacy relating to the use of digital platforms, and raised parental expectations of the parameters of engagement with teachers both during and outwith the pupil day during the periods of school closure with a small number of incidences of parents being verbally abusive towards teachers within online platforms.

Consistent with other survey data, the majority of respondents to this survey reported significant increases in workload during periods of remote learning, as illustrated by several of the comments captured within this report. Similarly high proportions of respondents reported negative impacts on stress levels and on general wellbeing, with both short and long-term mental health issues frequently being cited in relation to this.

Since schools re-opened after lengthy lockdown periods there has been a significant increase in the expectations of teachers to simultaneously provide both in-class learning to students who are in school and remote learning to young people isolating at home, which is neither educationally sound nor sustainable. Several respondents also indicated that increased expectations of teachers in terms of their availability to engage with parents have remained in place since school reopening.

All of these expectations must be vigorously challenged.

Overall, practitioners' experiences of remote learning as captured within this survey carry a multitude of implications for policy-makers and employers regarding:

- digital equity
- professional learning and training for remote and digital learning;
- the availability and effectiveness of remote learning and teaching for learners;
- and the workload and wellbeing impacts of this mode of working and of its legacy, upon teachers

that the EIS will look to raise through all relevant lobbying and campaigning channels.

## **EIS Advice on Transition Arrangements from P7 to S1**

**(April 2022)**

The importance of planning and supporting children and young people through transition periods is well recognised. Primary and Secondary teachers play a vital role in sensitively supporting children as they move to Secondary school and encounter new arrangements.

The updated [Scottish Government Guidance](#) on Reducing the Risks in Schools now provides that there are no restrictions on visits to school buildings, although visitors will be expected to comply with the school's routine protective measures. Transition visits to support those children, who will be moving from P7 to S1 in the next academic session, can therefore be resumed, **provided they are appropriately risk assessed.**

The guidance makes it clear that 'schools should operate in line with their own circumstances and risk assessments as they do in all areas of school life'.

In devolving more autonomy in decision-making to local authorities, the guidance recognises 'the importance of local dialogue, including with LNCTs and other recognised trade unions, in reaching local decisions'. Collegiate practice should underpin the risk assessment process and the decisions made about the mitigation measures required to manage risk at a local level.

**The EIS recommends that decisions about the level and nature of the transition support should, therefore, be made on a collegiate basis, with full involvement of the school staff from both settings. Decisions should follow joint risk assessment, with due regard to COVID prevalence in the locale in which each setting is based.**

### **Transition Visits to Secondary Schools**

In planning transition visits, regard should be had to the Scottish Government Guidance on school visits, with the routine protective measures, identified in the guidance, being adopted, as well as any additional mitigations considered necessary following a thorough risk assessment process.

Given the increased transmissibility of new variants of the virus, we would recommend that careful consideration is given to the arrangements for such visits and to who should accompany children on the day, having full regard to local circumstances. Although the Scottish Government Guidance removes the restrictions on parents, carers and other visitors entering school buildings, Head Teachers will require to review and update suitable and sufficient risk assessments, before finalising arrangements for these visits.

The EIS is clear that decisions about the format of the visits and the nature of transition support, should be based on collegiate discussion, with Head Teachers continuing to work jointly with trade unions to reach agreement regarding the arrangements for such events.

Adults accompanying children on a visit, whether Primary staff or parents/carers, should comply with the Scottish Government Guidance in relation to visitors to Secondary schools. It recommends that they adhere to physical distancing requirements with regards to Secondary school staff and pupils, and wear a face covering while on school premises. Where the visit takes place indoors, the meeting space should be well ventilated and appropriate hand hygiene measures in place.

Where an enhanced transition is necessary to support children and young people with additional support needs, a bespoke risk assessment should be completed and appropriate arrangements made on this basis.

### **Transition Visits to Primary Schools by Secondary Staff**

The Scottish Government Guidance makes it clear that Secondary staff can attend Primary schools as professional visitors, to meet children who are moving from P7 to S1 in the next academic session. These meetings must be risk assessed, with appropriate mitigations for the Primary setting being adopted.

The expectation is that Secondary school staff attending Primary schools should comply with physical distancing requirements with regards to Primary staff and pupils in the setting and where the visit takes place indoors, the meeting space should be well ventilated, face coverings worn and appropriate hand hygiene arrangements in place.

### **Review of Risk Assessments**

Risk assessments should be reviewed regularly and should reflect and be adapted to respond to local issues, such as local increases in cases of COVID-19 or local outbreaks. Schools and local authorities should pay very close attention to any evidence suggesting the potential for emerging bridges of transmission across schools.

### **Support Materials**

Education Scotland has developed a resource to support transitions during COVID restrictions: [Transitions in the context of COVID-19.](#)

## **EIS Advice on Transition Arrangements from Nursery to Primary (April 2022)**

The importance of planning and supporting children through transition periods is well recognised in early years education. Teachers and early years practitioners play a vital role in sensitively supporting children as they encounter new arrangements.

The updated [Scottish Government Guidance](#) on Reducing the Risks in Schools now provides that there are no restrictions on visits to school buildings, although visitors will be expected to comply with the school's routine protective measures. Transition visits to support those children, who will be starting school in the next academic session, can therefore be resumed, **provided they are appropriately risk assessed**.

The guidance makes it clear that 'schools should operate in line with their own circumstances and risk assessments as they do in all areas of school life'.

In devolving more autonomy in decision-making to local authorities, the guidance recognises 'the importance of local dialogue, including with LNCTs and other recognised trade unions, in reaching local decisions'. Collegiate practice should underpin the risk assessment process and the decisions made about the mitigation measures required to manage risk at a local level.

**The EIS would recommend that decisions about the level and nature of the transition support should, therefore, be made on a collegiate basis, with full involvement of the school and ELC staff involved. Decisions should follow joint risk assessment with due regard having been given to COVID prevalence in the locale in which each setting is based.**

### **Transition Visits to Primary Schools**

In planning transition visits, regard should be had to the Scottish Government Guidance on school visits, with the routine protective measures, identified in that guidance, being adopted, as well as any additional mitigations considered necessary following a thorough risk assessment process.

Given the increased transmissibility of new variants of the virus, we would recommend that careful consideration is given to the arrangements for such visits and to who should accompany children on the day, having full regard to local circumstances. Although the updated Scottish Government Guidance removes the restrictions on parents, carers and other visitors entering school buildings, Head Teachers will require to review and update suitable and sufficient risk assessments, before finalising arrangements for these visits.

The EIS is clear that decisions about the format of the visits and the nature of transition support, should be based on collegiate discussion, with Head Teachers continuing to work jointly with the trade unions to reach agreement regarding the

arrangements for such events.

Adults accompanying children on a visit, whether ELC staff or parents/carers, should comply with the Scottish Government Guidance in relation to visitors to schools. It recommends that they adhere to physical distancing arrangements with regards to Primary school staff and pupils where possible and wear a face covering while on school premises. Where the visit takes place indoors, the meeting space should be well ventilated and appropriate hand hygiene measures in place.

Where an enhanced transition is necessary to support children with additional support needs, a bespoke risk assessment should be completed and appropriate arrangements made on this basis.

### **Transition Visits to ELC Settings by Primary Staff**

The [Scottish Government Guidance on Early Learning and Childcare Service](#) also removes the restrictions on visitors attending ELC settings. Primary class teachers and senior staff can, therefore, attend ELC settings to meet children who are making the transition to Primary school. These meetings must be risk assessed, with appropriate mitigation measures being adopted in line with the ELC guidance for visitors to settings.

The expectation is that Primary school staff attending these settings should comply with physical distancing requirements with regards to ELC staff in the setting and where the visit takes place indoors, the meeting space should be well ventilated, face coverings worn and good hand hygiene practices in place.

### **Review of Risk Assessments**

Risk assessments should be reviewed regularly and should reflect and be adapted to respond to local issues, such as local increases in cases of COVID-19 or local outbreaks. ELC settings, schools and local authorities should pay very close attention to any evidence suggesting the potential for emerging bridges of transmission between ELC settings and schools.

### **Support Materials**

Education Scotland has developed two resources to support transitions at this time: [Transitions in the context of COVID-19](#) and [Wakelet on Supporting young children at points of transition](#)

## **EIS Advice on Transition Arrangements from Nursery to Primary (Special Education) (April 2022)**

The importance of planning and supporting children through transition periods is well recognised in early years education, particularly in the context of Special Education. Teachers and early years practitioners play a vital role in sensitively supporting children as they encounter new arrangements.

The updated [Scottish Government Guidance](#) on Reducing the Risks in Schools now provides that there are no restrictions on visits to school buildings, although visitors will be expected to comply with the school's routine protective measures. Transition visits to support those children, who will be starting school in the next academic session, can therefore be resumed, **provided they are appropriately risk assessed**.

The guidance makes it clear that 'schools should operate in line with their own circumstances and risk assessments as they do in all areas of school life'.

In devolving more autonomy in decision-making to local authorities, the guidance recognises 'the importance of local dialogue, including with LNCTs and other recognised trade unions, in reaching local decisions'. Collegiate practice should underpin the risk assessment process and the decisions made about the mitigation measures required to manage risk at a local level.

**The EIS would recommend that decisions about the level and nature of the transition support should, therefore, be made on a collegiate basis, with full involvement of the school and ELC staff involved. Decisions should follow joint risk assessment with due regard having been given to COVID prevalence in the locale in which each setting is based.**

### **Transition Visits to Primary (Special Education) Schools**

In planning transition visits, regard should be had to the Scottish Government Guidance on school visits, with the routine protective measures, identified in the guidance, being adopted, as well as any additional mitigations considered necessary following a thorough risk assessment process.

Given the increased transmissibility of new variants of the virus, we would recommend that careful consideration is given to the arrangements for such visits and to who should accompany children on the day, having full regard to local circumstances. Although the updated Scottish Government Guidance removes the restrictions on parents, carers and other visitors entering school buildings, Head Teachers will require to review and update suitable and sufficient risk assessments, before finalising arrangements for these visits.

The EIS is clear that decisions about the format of these visits and the nature of transition support, should be based on collegiate discussion, with Head Teachers

continuing to work jointly with the trade unions to reach agreement regarding the arrangements for such events.

Adults accompanying children on a visit, whether ELC staff or parents/carers, should comply with the Scottish Government Guidance in relation to visitors to schools. It recommends that they adhere to physical distancing arrangements with regards to Primary staff and pupils, where possible, and wear a face covering while on school premises. Where the visit takes place indoors, the meeting space should be well ventilated and appropriate hand hygiene measures in place.

**In the context of Special Education, the individual needs of the children involved would also require to be considered in determining whether an enhanced transition is necessary and factored into the assessment of risk.** Appropriate risk mitigation measures should be identified to address the risks presented and appropriate arrangements made on this basis.

### **Transition Visits to ELC Settings by Primary (Special Education) Staff**

The [Scottish Government Guidance on Early Learning and Childcare Service](#) also removes the restrictions on visitors attending ELC settings. Primary class teachers and senior staff can, therefore, attend ELC settings to meet children who are making the transition to Primary school. These meetings may be especially important to ensure appropriate support for children with additional support needs.

Such meetings must be risk assessed, with appropriate mitigation measures being adopted in line with the ELC guidance for visitors to settings.

The expectation is that Primary (Special Education) staff attending these settings should comply with physical distancing requirements with regards to ELC staff in the setting and where the visit takes place indoors, the meeting space should be well ventilated, face coverings worn and good hand hygiene practices in place.

### **Review of Risk Assessments**

Risk assessments should be reviewed regularly and should reflect and be adapted to respond to local issues, such as local increases in cases of COVID-19 or local outbreaks. ELC settings, schools and local authorities should pay very close attention to any evidence suggesting the potential for emerging bridges of transmission between ELC settings and schools.

### **Support Materials**

Education Scotland has developed two resources to support transitions at this time: [Transitions in the context of COVID-19](#) and Wakelet on [Supporting young children at points of transition](#)

## **EIS Advice on Transition Arrangements from P7 to S1 (Special Education) (April 2022)**

The importance of planning and supporting children and young people through transition periods is well recognised, particularly in the context of Special Education. Teachers play a vital role in sensitively supporting children as they move to Secondary education and encounter new arrangements.

The updated [Scottish Government Guidance](#) on Reducing the Risks in Schools now provides that there are no restrictions on visits to school buildings, although visitors will be expected to comply with school's routine protective measures. Transition visits to support those children, who will be moving from P7 to S1 in the next academic session, can therefore be resumed, **provided they are appropriately risk assessed.**

The guidance makes it clear that 'schools should operate in line with their own circumstances and risk assessments as they do in all areas of school life'.

In devolving more autonomy in decision-making to local authorities, the guidance recognises 'the importance of local dialogue, including with LNCTs and other recognised trade unions, in reaching local decisions'. Collegiate practice should underpin the risk assessment process and the decisions made about the mitigation measures required to manage risk at a local level.

**The EIS recommends that decisions about the level and nature of the transition support should, therefore, be made on a collegiate basis, with full involvement of the school staff from both settings. Decisions should follow joint risk assessment, with due regard to COVID prevalence in the locale in which each setting is based.**

### **Transition Visits to Secondary (Special Education) Schools**

In planning transition visits, regard should be had to the Scottish Government Guidance on school visits, with routine protective measures, identified in the guidance, being adopted, as well as any additional mitigations considered necessary following a thorough risk assessment process.

Given the increased transmissibility of new variants of the virus, we would recommend that careful consideration is given to the arrangements for such visits and to who should accompany children on the day, having full regard to local circumstances. Although the Scottish Government Guidance removes the restrictions on parents, carers and other visitors entering school buildings, Head Teachers will require to review and update suitable and sufficient risk assessments, before finalising arrangements for these visits.

The EIS is clear that decisions about the format of the visits and the nature of transition support, should be based on collegiate discussion, with Head Teachers continuing to work jointly with trade unions to reach agreement regarding the arrangements for such events.

Adults accompanying children on a visit, whether Primary staff or parents/carers, should comply with the Scottish Government Guidance in relation to visitors to

Secondary schools. It recommends that they adhere to physical distancing requirements with regards to Secondary staff and pupils, and wear a face covering while on school premises. Where the visit takes place indoors, the meeting space should be well ventilated and appropriate hand hygiene measures in place.

**In the context of Special Education, the individual needs of the children involved would also require to be considered in determining whether an enhanced transition is necessary and factored into the assessment of risk.**

Appropriate risk mitigation measures should be identified to address the risks presented and appropriate arrangements made on this basis.

### **Transition Visits to Primary Schools by Secondary (Special Education) Staff**

The Scottish Government Guidance makes it clear that Secondary staff can attend Primary schools as professional visitors, to meet children who are making moving from P7 to S1 in the next academic session. These meetings may be especially important to ensure appropriate support for children with additional support needs.

Such meetings must be risk assessed, with appropriate mitigations for the Primary setting being adopted.

The expectation is that Secondary (Special Education) school staff attending Primary settings should comply with physical distancing requirements with regards to Primary staff and pupils in the setting, and where the visit takes place indoors, the meeting space should be well ventilated, face coverings worn and appropriate hand hygiene arrangements in place.

### **Review of Risk Assessments**

Risk assessments should be reviewed regularly and should reflect and be adapted to respond to local issues, such as local increases in cases of COVID-19 or local outbreaks. Schools and local authorities should pay very close attention to any evidence suggesting the potential for emerging bridges of transmission across schools.

### **Support Materials**

Education Scotland has developed a resource to support transitions during COVID restrictions: [Transitions in the context of COVID-19](#).

## **Briefing: Updated Guidance on Supporting Transgender Pupils in Schools**

The EIS has a commitment to high standards of education rooted in equality and inclusivity. Young people have the right to learn, and teachers and lecturers have the right to work in an educational environment that is free from discrimination, where the rights of all are upheld.

This briefing paper has two primary aims:

- To inform members of the refreshed [guidance on supporting transgender pupils in schools](#), published by the Scottish Government, and;
- to provide details of key technical updates in the new guidance.

### **Background**

The Scottish Government has published refreshed non-statutory guidance for education authorities and schools, that gives advice on the legislative, policy and practical considerations that they may wish to make, in supporting transgender young people. The guidance is intended of use to all teachers and school staff, to be used in conjunction with other equality-related guidance on supporting young people. Links to further guidance and resources are provided at the end of this briefing.

With this publication, Scotland becomes one of the first countries in Europe to issue government-led guidance on supporting trans young people in educational establishments.

The guidance was developed by the Scottish Government, working closely with LGBT Youth Scotland and Scottish Trans Alliance. The guidance replaces previous guidance for schools developed by LGBT Youth Scotland in 2017. The guidance has been subject to an Equality Impact Assessment and a Children's Rights and Wellbeing Impact Assessment.

The refreshed guidance emphasises the importance of meeting the needs of all pupils in a way that also is inclusive of trans pupils, whilst observing the rights of all pupils to privacy and safe spaces. Advice is given on how to best support transgender young people, as well as more broadly on creating inclusive school environments. In keeping with the GIRFEC framework, the guidance is **not prescriptive about requirements that will depend on individual circumstances.**

This briefing for EIS members points to key aspects of the guidance which may be useful to teachers and gives advice on questions that may arise for members in implementing the guidance.

If you have further questions, we would advise that you consult the guidance itself, which is available on the [Scottish Government's website](#).

## **The guidance, at a glance**

The guidance is largely the same as the previous guidance, however it has been updated to provide further detailed technical advice and it makes more explicit reference to the **UNCRC** and **GTC Scotland Professional Standards**, and policies such as **Respect for All**.

Throughout the guidance, there is an added emphasis on advancing the rights of all children and young people to safe and equitable environments and school activities.

## **Transgender pupils' experiences**

There is no accurate figure of the transgender population in the UK, however, estimates range between 200,000-500,000, some citing an estimate of between 0.5% and 0.6% of the population (based on international figures). This would mean that out of Scotland's population of 5.5 million, there could be around 27,500 and 32,500 transgender people in Scotland, of all ages. Trans people may choose to transition later in life, but if trans people were equally distributed across the country and in schools, this would mean around 1 trans pupil per 200 pupils. It is therefore likely that at some point in a teacher's career, they will meet a transgender pupil (although they may not be aware that the pupil is transgender).

LGBT Youth Scotland's research from between 2007 and 2017 illustrated important changes towards improved safety and equality for transgender young people. In that time, the organisation reported a 25% increase in transgender young people thinking that "**Scotland is a good place to live**". However, despite increasing awareness of trans equality, and visibility of transgender people, there are still barriers that need addressed in order that trans pupils can equitably access and benefit from their educational experience.

LGBT Youth Scotland's research (2017) showed that 82% of trans young people experienced bullying in school, with 95% saying this affected their educational attainment. 53% of transgender young people rated their school experience as 'bad', while significant increases in satisfaction with university experiences were found (rising from 37% to 60% since 2007).

There has been some media criticism of the *Supporting Transgender Pupils in Schools* guidance for citing research with smaller sample sizes and not conducting random sampling. The reports cite a preliminary study carried out by the Children's Aid Society of Toronto and Delisle Youth Services in 2012 about the

health impacts of parental support for trans youth, with a sample size of 84 (selected from wider study sample of 433 individuals, to consist only trans youth who had transitioned or begun to socially transition gender and 'come out' to their parents).

The study's findings are used in the guidance only to suggest trans young people with supportive parents will be more likely to have good mental health, evidence which should come as no surprise, regardless of sample size. The study notes a lack of statistical significance due to small sample size. Findings regarding mental health mirrors LGBT Youth Scotland surveys of the Scottish trans youth population.

When considering evidence on transgender pupils' experiences, it may be helpful to remember that transgender people are a very small minority of the population, therefore a representative sample from a transgender pupil population will be significantly lower than those aiming to be representative of the general population. When supporting any young person, the EIS would advocate an individual approach in which the needs of each young person are listened to and their individual circumstances considered.

### **Teachers' professional responsibility**

Generally, the refreshed guidance considers in more detail the personal experiences of trans young people, underlining the need for wellbeing considerations to be at the heart of any approach taken in supporting trans young people in schools. For example, in the section on coming out, the new guidance has added in the following section before giving advice on how to respond:

**“When a young person approaches you to discuss their gender identity, they have often taken a long time to consider who to talk to and are looking for an adult to listen and be supportive. Coming out can be beneficial for young people’s wellbeing as it allows them to discuss how they feel and get the support they need at the earliest point possible. A school staff member may be the first person that a young person speaks to.”** p. 21.

Teachers do not have to be experts in every aspect of their pupils' lives, nor have answers relating to every equality area and protected characteristic. When supporting any child or young person, teachers should refer to the professional values and GTC Scotland's Code of Professionalism and Conduct, which includes:

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<sup>1</sup> <https://www.gtcs.org.uk/professional-standards/professional-standards-for-teachers.aspx>

**“2.1 treat sensitive, personal information about pupils with respect and confidentiality and not disclose it unless required to do so by your employer or by law;”**

**“2.7 be aware of the general principles of the UN Convention on the Rights of the Child, regarding equal treatment, the child’s best interests, and giving appropriate weight to the views of the child.”**

**“5.1 engage and work positively with pupils, colleagues, parents and carers in an open, inclusive and respectful way, in line with the law and with a non-judgemental approach whatever their background, personal circumstances, cultural differences, values and beliefs;”**

**“5.2 help pupils to understand different views, perspectives, and experiences and develop positive relationships both within the educational establishment and in the local community;”**

**“5.3 recognise that they are a role model and therefore should be aware of the potentially serious impact which any demonstration by you of intolerance or prejudice could have upon your standing as a teacher and your fitness to teach.”**

### **Updated technical details**

The updated guidance includes updated reference to the Equality and Human Rights Consortium’s Technical Guidance on the Equality Act (2010) for schools in Scotland. Some sections give more detailed advice that teachers may find useful to consider. Below are some key technical aspects that you may want to look up in the guidance:

- *Supporting a transgender young person who is 'coming out'* (from page 20).  
The guidance provides advice on supporting a young person who is transitioning, information about the process of changing their name and recorded sex in relation to SEEMis and clarifies the difference between a school record and a legal name change.
- *Safe and accessible toilets and changing rooms* (from page 25).  
The guidance clarifies that a transgender young person should not be made to use the toilet or changing room of their sex assigned at birth and should be offered appropriate changing facilities (these could be private facilities, or another suitable space to change in). The guidance encourages supporting all pupils, including listening to the needs of any young person and if possible, letting those who request this, change privately. It is recognised in the guidance that many young people, including transgender pupils and girls may appreciate private changing rooms, recognising where good practice would also benefit pupils who are not transgender.
- *PE and school sport* (from page 29).

The guidance makes recommendations for appropriate considerations for both PE class activity – where transgender pupils should participate with the gender group they identify with, and possible exceptions in sports competitions, as well as in relation to PE clothing, allowing transgender young people to wear sportswear that matches their gender identity, allowing swimwear alternatives that may be more comfortable and alerting to the risks, as well as mental health benefit, of chest binders.

- *Day and Residential trips* (from page 30).

The guidance gives detail around considerations which schools must have in mind, such as talking about respect for boundaries and privacy in a shared space, when planning allocation to communal accommodation on residential trips, as well as good practice for engaging with young people prior to a trip to consider the needs and wishes of all pupils in preparation for a trip.

- *Responding to concerns from young people, parents or staff* (from page 46).

This section addresses the potential that concerns that may be raised by young people, parents or staff, and stresses the importance of communicating a consistent and accurate message to counteract any misinformation about being transgender. The guidance further directs to where school staff and teachers can access support if they experience any issues arising from dealing with concerns or complaints.

## **Question and answers**

The EIS has provided guidance to members on supporting LGBT learners, and staff, for a number of years by offering advice, professional learning and where necessary, representation. This has been done within a broader commitment to equality for all and an equal balancing of the rights of all, whatever the relevant protected characteristics. The below have been prepared in response to questions that may arise from members on the refreshed guidance and has been evaluated by legal opinion. This section of the briefing will be updated as necessary.

1. How can teachers best support a transgender young person?

The Scottish Government guidance should be used as a first port of call for schools and teachers who are supporting a transgender child or young person. The guidance details good practice in providing support but is not prescriptive about what is required specifically in individual circumstances. Within the parameters of the Scottish Government guidance, teachers should use their professional judgment in providing support to a young person. There are a number of specialist organisations that can help, some of whom are listed at the end of this briefing.

2. What should teachers do if they are concerned about a young transgender person's mental health?

Being transgender is not in itself a cause for a wellbeing concern, nor is it a child protection issue. However, if a young person experiences bullying or is made to hide their identity at home, this can have a significant wellbeing and mental health impact. Support for that young person should be informed to a large extent by their needs as expressed by them, in light of young people having the right to shape the decisions that affect them.

The expectation would be that school policies on bullying will in the first instance inform how any incidences of transphobic bullying are handled but the guidance also points out that some bullying behaviours towards trans young people (or those perceived to be trans) may be reportable by the school to the police as potential hate crime. Police Scotland- especially Community Police Officers- would be able to advise on this as necessary.

Considering and respecting a young person's views that they do not wish to share that they are transgender with anyone else, does not mean, if there is a child protection issue present, that information will not be shared – the professional(s) should consider what is in the best interest of the pupil to ensure their safety, invoking established child protection procedures if and as appropriate.

Schools and other services can provide valuable support to young people in these circumstances, and also to parents/ carers who may require support following their child's disclosure. In supporting transgender young people who have not disclosed to their parents/ carers and wider families, the wellbeing of the young person should be a central focus in the process of listening and responding to the young person's needs.

3. Transgender people are protected under the characteristic of 'gender reassignment' under the Equality Act (2010). What should schools do to make sure they do not discriminate against a transgender pupil on the basis of their protected characteristic?

Direct discrimination occurs where a person treats a transgender person less favourably than they would treat others *because of* their gender reassignment. It should be noted that a pupil does not have to be transgender to suffer discrimination. A pupil could be discriminated against if they are treated less favourably than others because they are perceived to be transgender or because they associate with someone who is transgender.

A school may fall foul of indirect discrimination if it has a policy, criterion or practice which applies to all pupils but has the effect of disadvantaging transgender pupils. For example, if an 'ice-breaker' exercise for first year pupils is to bring in a photograph of themselves as a toddler, this practice may cause a transgender pupil great distress.

Harassment is another form of discrimination which has the potential to arise in schools. Harassment occurs where someone engages in unwanted conduct (verbal or physical) related to gender reassignment which has the purpose or effect of violating a transgender person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. It is important to note that the intention behind the unwanted conduct is irrelevant; it is the transgender person's perception, the wider circumstances and the reasonableness of their reaction which are important.

If a pupil is subjected to a detriment because they have complained of discrimination (whether to the school or an external body) or have done anything else in connection with the Equality Act 2010 (for example campaigned for transgender rights) or intend to complain or are suspected of complaining, this may amount to victimisation.

The Scottish Government Guidance contains advice on how schools and teachers can uphold the Equality Act (2010) by providing good support to transgender young people and following processes that include them equitably within education. Further [technical guidance for schools on the Equality Act \(2010\)](#) can be found on the Equality and Human Rights Commission website. Schools and teachers can be confident in their practice as long as they follow the guidance provided.

If a young person feels they have experienced discrimination, they can complain to the school (directly or via their parents), in the first instance and this should be investigated by the school, in line with the guidance.

4. When it comes to school activities that are divided between boys, and girls, which group should transgender young people participate with?

Where there is a difference in service or activity between boys and girls, transgender people should be treated according to their gender identity – or, if they are non-binary, on the basis that they have a choice (and this might alter from time to time). So, if a school activity is divided between boys and girls, a transgender boy should as the standard, be with the rest of the boys.

There are only possible exceptions to this, in very limited circumstances. The EHRC's Services, Public Functions and Associations: Statutory Code of Practice <sup>2</sup> provides for exceptions in relation to transgender persons for competitive sports where physical strength, stamina or physique are significant factors – so as to determine a 'fair' competition between participants. This exception would not be

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<sup>2</sup> <https://www.equalityhumanrights.com/en/publicationdownload/services-public-functions-and-associations-statutory-code-practice>

applicable to physical activity, PE or sports as part of the Health and Wellbeing curriculum that young people receive in schools.

There is a possibility for single-sex exceptions in the Equality Act (2010), but only in extremely limited circumstances. Generally, a service that provides single or separate sex services, or different services to women and men, should as a default treat transgender people according to their gender identity and take a person-centred approach to everyone.

In relation to communal accommodation, for example dormitories in a residential accommodation, an exception could be considered only for reasons of privacy, or because of the nature of sanitary facilities serving the accommodation. The guidance advises that all students are consulted regarding their specific needs, as adjustments such as private cubicles, may also be of benefit to students who are not transgender.

According to the EHRC's Technical Guidance for Schools<sup>3</sup>, examples of legitimate considerations for schools when it comes to these considerations might include:

- ensuring that education, benefits, facilities and services are targeted at those who most need them
- the fair exercise of powers
- ensuring the health and safety of pupils and staff, provided that risks are clearly specified
- maintaining academic and behaviour standards, and
- ensuring the wellbeing and dignity of pupils.

It is important to note that exclusions can never be a blanket approach, but happen only in limited individual circumstances, where it is objectively justified, in relation to the considerations above. Efforts should be put towards being inclusive of all pupils as far as possible, and schools should take a pupil-centred approach to each individual case and activity.

5. Does changing a young person's name and sex on their SEEMiS record change their legal sex?

No, the guidance makes it clear that **"Changing the recorded sex in SEEMiS has no effect on a young person's legal sex."** Schools do not need to ask for anything else other than a written instruction from the pupil (and with their parents' or carers' consent if they are under 16).

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<sup>3</sup> <https://www.equalityhumanrights.com/en/publication-download/technical-guidanceschools-scotland>

6. How can teachers respect a young person's gender identity, without their record being changed?

If a young person wants to go by a different name, informally in school, or tells you that they are thinking about transitioning, but does not want others to know yet, you should respect their wishes. The guidance recommends that parents are involved as early as possible, however you should be guided by the rights of the young person to their identity and self-expression. The guidance contains further information about using the right pronouns, listening and supporting a young person who tells you that they may be transgender.

7. If a transgender young person shares with a teacher that they are transgender, and the teacher does not disclose this to their parents, does this conflict with parental rights? Could the teacher get in trouble?

The guidance states that **"Recognising the rights of all parents and carers, it is recommended that consent is obtained from all of those with parental responsibilities for those young people under 16. Bringing parents into this discussion at as early a point as possible would be helpful."**

If a pupil wishes to transition whilst attending a school, conversations should be had with the pupil regarding this as the pupil's pronouns/name etc., may change and would then be known widely at the school. If the child is under 16, then parents would require to be involved in notifying the school in writing of the wish to change name and pronouns. A school should not be expected to hide a 16+ year-old pupil's name or pronouns from a parent, but the guidance emphasises that disclosure should be discussed with the pupil and their views considered and respected.

Some transgender young people experience difficulties in disclosing to their parents/ wider families, which can impact on them emotionally and in relation to their mental health, particularly where the young person anticipates that the reaction will be negative.

The optimum scenario in terms of supporting any young person in their personal and emotional development is where school and home can work together in common purpose.

8. What can teachers do if they are worried about responding to concerns or complaints in relation to the trans inclusive practice outlined in the guidance?

Whilst teachers may have begun to engage with LGBT inclusive education overall, they may be worried about not having the sufficient knowledge to support a transgender young person, or be unsure how to respond to any concerns from parents or pupils.

Many teachers, school staff, parents, and pupils will be aware of ongoing media discourse that has arisen in the UK in recent years, regarding the inclusion and rights of transgender people. Witnessing polarised and heightened media discourse related to a very small minority group in the population (transgender people), could lead to worry and misinformation.

For transgender children and young people, this might mean that they are unsure about what their rights are, and worried about who they can trust to tell that they are transgender. It is important that schools give time for professional learning on LGBT inclusive practice and that there are well-communicated processes in place that are aligned with Scottish Government guidance.

If a young person (transgender or not) or a parent, has concerns about their safety in school, it is important to assess whether this is a result of inappropriate behaviours and take reasonable and proportionate measures in response to any risks identified. The guidance says that if a young person has concerns or feels unsafe, they should be supported, and they may want to use private changing facilities, or using toilets during class time when facilities are quieter.

The guidance emphasises that any complaints should be dealt with as part of the school's or education authority's complaints procedure and should follow the confidentiality and information sharing protocols in place. The school should consider the needs of all young people and respect the rights of all, and take steps that are reasonable and proportionate in response to ensure there is no detriment or disadvantage to any pupils.

It is very important, that schools dispel any misinformation, and the guidance is clear: a transgender young person's presence does not constitute inappropriate behaviour and is not a safety concern in itself.

If a teacher experiences negative responses due to following the Scottish Government guidance, this should be raised with the management of the school and with branch/ local union representatives, with any legal advice being sought as necessary. Teachers should feel supported in implementing the guidance that is in place. Similarly, schools should be supported by the local authority in doing so. Headteacher members of the EIS should also seek advice from the EIS at school/local level as necessary.

### **Further guidance and resources**

- LGBT Youth Scotland is Scotland's national organisation for LGBT young people, and offers a range of classroom resources <https://www.lgbtyouth.org.uk/>

- Mermaids provides support for transgender, nonbinary and gender diverse children and young people, including families and professionals [www.mermaidsuk.org.uk](http://www.mermaidsuk.org.uk)
  - National Gender Identity Clinical Network for Scotland [www.ngicns.scot.nhs.uk](http://www.ngicns.scot.nhs.uk) and their resource on Information for Parents and Carers, Language and Terminology <https://www.ngicns.scot.nhs.uk/wp-content/uploads/2019/05/Information-for-Parent-and-Carers-Language-and-Terminology-V.1.pdf>
  - Stonewall Scotland have a range of resources, toolkits and events on their website <https://www.stonewallscotland.org.uk/>
  - Technical Guidance for Schools in Scotland <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-schools-scotland>
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## **EIS Briefing on Digital Poverty**

**October 2021**

### **Background**

For some time, the EIS has raised concerns about the unequal access among school pupils to the devices and internet connectivity, and in terms of digital literacy skills, to enable full participation in digital-based learning.

For example, the 2015 Face Up to Child Poverty publication highlighted the difficulties that young people from the poorest backgrounds face in engaging with homework activities that require internet research, either because they have no access to a computer at home or because access to the internet is limited or non-existent at home.

The EIS has also highlighted that aside from lack of access to digital devices at home, many young people living in poverty don't have a place where they can sit down to concentrate on schoolwork because of overcrowding and lack of space in the home and/or the absence of furniture such as a table, desk or chair. In these circumstances, even with access to a tablet or a laptop, young people continue to be digitally excluded.

During the pandemic, the increased reliance on digital learning further exacerbated the impact of the digital divide on those young people. This is in the context of more than one in four (260,000) children being in poverty today with current forecasting that the figure is set to rise further to 29% by 2023-24.

Tech poverty is an issue that the Equality Committee has returned to again and again, and one which it was agreed would be included in this session's refresh of the Face Up to Child Poverty publication.

This briefing is the first in a series of briefings that will culminate in the publication later.

### **Pre Covid Context**

The digital divide has been a campaigning issue for some years for the trade union movement, including the EIS.

The 2019 Scottish Household Survey highlighted that whilst 96% of households in the 20% least deprived areas had access to the internet, only 82% of households in the 20% most deprived areas had access.

This inequality is even more stark when examined on the basis of income. 65% of families with an income of less than £10,000 per year had internet access- that leaves over a third of households in that income bracket with no access at all.

When it comes to those earning more than £40,000 per year, nearly all (99%) have access.

Between those two extremes, there are also the scenarios that see sharing of devices and broadband/data between siblings and/ or between children and parents. This clearly has implications for young people's school experiences.

The extent to which young people are able to participate in learning activities that require the use of Wi-Fi or personal data when working on homework is very much dependent on family income. Family income continues to be a determining factor in the ability of pupils to make use of personal data to access the internet when in class, as increasingly pupils have been prompted to do for certain learning activities in school.

### **Digital Exclusion and COVID 19**

The experience of the pandemic that has so far featured two periods of lengthy school closure and a shift to remote learning from home, has brought the inequality of digital exclusion into even sharper focus.

As with many pre-existing inequalities, the pandemic has shone a harsh light on digital inequality and exclusion, and indeed has been shown to have exacerbated the problem.

Audit Scotland's report 'Improving outcomes for young people through school education' published in March 2021, highlighted the disproportionately negative impact of school closures on young people from the most disadvantaged backgrounds. It underlined that these pupils were most negatively affected by the shift to remote learning because of their lack of access to digital resources-devices, internet connectivity and digital literacy.

The report concludes that lack of access to computers and tablets was a significant barrier to young people living in poverty being able to access and stay engaged with the remote learning offer. Difficulties were further compounded by the lack of parental knowledge of the various platforms used by schools.

The EIS all-member survey 'Teaching During the Covid-19 Shutdown' pointed to similar conclusions. 64% of members responding said that pupils having no access to technology was a barrier to home learning. Most said that their highest attaining students were engaging better with online learning than the lowest attaining.

The Scottish Government Equity Audit published early in 2021 highlighted also that:

'Variation in the availability of technology for children and young people was evident, with socio-economically disadvantaged children and young people being

most negatively affected.'

Widely reported during the earlier stages of the pandemic, in the media and by teachers, and evidenced by research carried out by EIS FELA, was that many young people were solely dependent on mobile phones to access lessons on digital platforms, conduct research and write assignments. Although young people in these circumstances had 'access to a device', the device having only a small screen and keyboard, was insufficient for and entirely unsuited to, their learning needs.

### **Digital Exclusion Beyond Education**

The impact of digital exclusion during lockdown, goes beyond access to education and will also have intensified isolation and loneliness for those unable to use social media to connect with their peers and community networks during lockdown.

Since we know that existing inequalities have been deepened during the pandemic, the impact of digital exclusion is likely to have disproportionately affected those who are at higher risk of experiencing poverty, such as households with a disabled family member and Black, Asian and Minority Ethnic households.

### **Digital Exclusion and Fuel Poverty**

In seeking to address the digital poverty gap, it's important to bear in mind that devices and internet access are dependent on electricity to run.

For many living in the poorest households, lack of access to the internet intersects with fuel poverty.

The definition of fuel poverty in Scotland is if a household spends more than 10% of its income on fuel costs and if the remaining household income is insufficient to maintain an adequate standard of living.

Data from the most recent Scottish House Condition Survey shows that 613,000 households (24.6%) were living in fuel poverty in 2019, compared with 619,000 (25%) in 2018.

Within these figures, there are 311,000 households (12.4%) in extreme fuel poverty, compared with 279,000 (11.3%) in the same period.

These figures are likely to have worsened as a result of the poverty impact of the pandemic and will increase further with the imminent withdrawal of the £20 per week Universal Credit uplift by the UK Government. (The £20 uplift has been paid throughout the course of the pandemic to Universal Credit recipients.)

The Joseph Rowntree Foundation (JRF) highlights that while £20 per week:

'may seem inconsequential to those who've been fortunate enough to retain a steady income throughout the pandemic ... for families struggling with rising living costs and hits to income wrought by a loss of job or hours, it can be the difference between buying sufficient food or going without, turning on the heating or sitting in the cold.'

JRF also evidences the fact that people living on the lowest incomes frequently pay the highest costs for electricity, being more likely to have to pay for electricity by expensive pre-payment meters and being less likely to switch users (partly since the ability to is frequently dependent on internet access). UK poverty: Causes, costs and solutions

For many families for whom the choice between heating and eating is a very real one, so too is scarcity of electricity to constantly power computers, laptops, tablets and smart phones.

Therefore, even if a young person living in poverty has their own device or has been supplied one by the school/local authority, and been provided data, it can't be assumed that the family income will stretch to keeping the device fully charged.

### **Remote Parental Engagement and Involvement**

During the course of the pandemic when schools were closed and while restrictions have been in place in relation to parental visits to school buildings, schools have sought to maintain parents' engagement and involvement in their children's learning by providing opportunities for this by digital means.

However, the same issues around inequality of access to devices and broadband, inequalities in relation to acquisition of digital literacy skills, and challenges around fuel poverty, apply equally to parents living on low income as for their children, in relation to how far they can engage in digital-based activities.

This means that under these circumstances, some parents are at risk of missing out on opportunities to work with their child's school in order to support their learning and enhance their outcomes.

### **Scottish Government and Local Action**

The Scottish Government early in the pandemic made £25 million available to councils to reduce the numbers of children and young people with no access to devices and/or internet connectivity. The Scottish Government has also previously? pledged to ensure access to a device for every school child in Scotland by the end of the current parliamentary term in 2026. The process of providing devices to all students has begun.

However, the impact of these policies to date has been variable across local

authority areas, with many young people and their families still experiencing digital exclusion today.

### **...Yet Ongoing Digital Exclusion**

Whilst some local authorities have been able to provide devices and to enable internet access, for example through the provision of dongles, this has not been a universal offer and has at times been slow to implement, in part due to hardware supply and transportation issues. This means that in rural areas where there are difficulties with internet connectivity, families living in poverty face further barriers to digital access.

There is also the matter of compatibility of devices issued with the platforms used by schools. This can be problematic for young people who have access to only one device at home, with no option of switching to a device that enables access to the particular platform or software being used by a school.

The EIS Headteacher and Depute Headteacher Network highlighted a further consideration regarding the necessity to keep devices updated and in a good state of repair. Issuing devices to young people and their families is only part of the solution. Without operating system updates and knowing how to do this, and without support to repair or replace malfunctioning devices, devices will be defunct.

This combination of factors means that thousands of young people in our schools are still without working digital devices at home and continue to be data poor.

While some local authorities have begun to support parents with regards to digital literacy, many parents and carers, especially those with general literacy challenges or who have English as an additional language, do not have the skills to be able to support their children to use devices, the internet or specific digital platforms at home.

### **EIS Advice**

It's essential that there is sensitivity to the stark inequalities that exist with regards to families' and therefore students' internet access in terms of availability of working devices and WiFi or data purchase.

It's equally important to remember that lack of/restricted internet access at home for many young people whose families are living on low income is linked to inability to meet the costs of electricity.

No assumptions should be made that all young people/parents have access to devices, broadband or data at home, or that there is an unlimited power supply in all homes.

Schools should consider their approaches to supporting young people to charge

their phones/tablets while in school buildings, particularly where it is understood that some families' electricity supply and costs would generally make charging of devices problematic.

When considering setting homework activities that require online access or opportunities for meeting with parents remotely, these inequalities should be borne in mind and steps taken towards ensuring that no young person/parent is excluded from any activity.

Many schools will have identified which students/families are struggling with internet access at home and taken sensitive steps to address this, for example by providing a device, and to keep following up, for example, by keeping the data supply topped up.

Some local authorities have also begun to support families in relation to electricity costs.

It shouldn't be assumed that all young people and/or their parents have the requisite digital skills to be able to access more complex online learning activities and/or a range of digital platforms.

For some parents, a phone call might offer a better opportunity for engagement with the school than an online meeting while restrictions on face-to-face meetings in school buildings remain in place. As the easing of restrictions allows, one to one in-person meetings with individual parents/carers within school buildings may be possible, depending on the outcomes of school-based risk assessments and other school-based agreements.

Some local authorities/ schools have begun supporting parents from poorer socio-economic backgrounds with digital literacy in order that they can support their own children at home. The capacity to do this is resource-dependent, in some cases it being dependent on the availability of home-school link support. This is a matter that could be explored with the school's SMT in the first instance.

Where these measures have not been possible as yet, other steps are needed within the school to ensure that young people are not missing out on learning experiences that are being offered to others.

This might mean that any internet-based learning is scheduled to take place during class time, using the school's WiFi since it shouldn't be expected that all students can use personal data to carry out research activities in the classroom.

Where there are issues with the reliability/ capacity of the school's WiFi provision, this should be raised with the local authority with a view to the requisite improvements being made.

Where the schools WiFi provision cannot support such use by groups of students at once, then alternative means of accessing research material from the internet- for example, downloading, printing, photocopying and enabling equal access for

all students, should be arranged.

In setting up any learning activities that require the use of the internet either in class or at home, due sensitivity to income-related inequalities should be given to avoid any young person experiencing stigma as a result of their/ their family's digital exclusion.

### **Call for good practice sharing**

Any member who wishes to share good practice in digital equity is welcome to get in touch with the EIS Education and Equality Department by contacting: [jharris@eis.org.uk](mailto:jharris@eis.org.uk)

### **Reminder...**

#### **Of the issues:**

- Inequality of families' / students' internet access in terms of availability of working devices and of WiFi or data purchase
- Lack of/restricted internet access at home for many young people is linked to low income, often including the inability to meet the costs of electricity
- Provision of devices alone doesn't fully address digital exclusion
- Many young people and parents don't have the requisite digital skills to be able to access more complex online learning activities and/or a range of digital platforms
- Risk of young people being left out of homework activities that require online access
- Risk of stigma arising from digital exclusion and poverty
- Risk of parents being excluded from engaging remotely with their child's school.

#### **Of how to support:**

- Sensitivity needed to the fact that more than a quarter of young people in Scotland live in poverty and therefore digital poverty
  - All internet-based/ digital learning activities should be considered with due sensitivity to income-related inequalities to avoid stigma
  - Issuing devices to young people/families who don't have them
  - Ongoing technical support, repair and data supply are also needed to help reduce digital exclusion
  - Enable young people to charge their phones/tablets while in school buildings in stigma-free ways
  - Schedule internet-based learning during class time, using the school's WiFi
  - Consider alternative means of remote engagement with parents who don't have digital means while Covid restrictions are in place
  - Look at how resources might be allocated to support parents with digital literacy skills.
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# **EIS Briefing on Hunger and Food Insecurity**

**February 2022**

## **Context and purpose**

The EIS remains deeply concerned that large numbers of children and young people are underfed and undernourished as a result of poverty at home and of the insufficiency of social security measures to prevent this.

The Covid 19 pandemic has significantly exacerbated pre-existing societal inequalities and intensified austerity-induced poverty and deprivation. In stark contrast, the fortunes of the richest in our society have multiplied.

A report published by Oxfam in January 2021 highlighted the global picture that:

*'The world's ten richest men more than doubled their fortunes from \$700 billion to \$1.5 trillion —at a rate of \$15,000 per second or \$1.3 billion a day— during the first two years of a pandemic that has seen the incomes of 99 percent of humanity fall and over 160 million more people forced into poverty.'*

The economic shocks of Covid continue to be felt by the poorest and now rising costs of living are compounding the struggles that a fifth of the population of Scotland- a million people, including 270,000 children- face every day, not least with regards to access to food, a fundamental necessity for human survival.

This briefing is the second of a series that will culminate in a refresh of the EIS's highly respected 'Face Up to Child Poverty' publication.

The briefing aims to highlight the key issues relative to hunger and food insecurity for EIS members, and to provide advice on the kinds of interventions that can be made at school and Local Association level to address them.

## **Hunger, lack of nutrition and learning**

Whilst hunger and undernourishment are a human rights issue in themselves, they also conspire to impact on children and young people's learning- how they engage in it and in terms of the outcomes from it, both in the short and the long term.

Hunger impacts directly on a young person's ability to concentrate and associated dips in blood sugar can also influence behaviour. Young people who are hungry will often appear withdrawn or will exhibit challenging behaviour as their brains react to the physical impacts of insufficient food intake.

Over time, where insufficiency of healthy food is a chronic issue, young people are likely to experience the longer-term effects of undernourishment. Lack of key nutrients and vitamins damages both physical and mental wellbeing.

This can be manifest in young people's weight, pallor, proneness to illness caused by weakened immune systems, frequency of headaches, in energy levels- low energy and fatigue, and/or hyperactivity, brain function and general emotional state.

Lack of a sufficient, healthy diet won't always present in terms of weight loss in young people. Sometimes, it will be evident in weight gain and obesity due to the cost and other barriers that there are in the way of access for families on low income to healthy, nutritious foods and the ability to prepare healthy, balanced meals.

Parents and young people with very little amounts of money to spend on food are left with little choice but to buy cheaper foods that are often faster to prepare but that are laden with sugar and fat and low on nutritional value, with resultant negative impacts on health.

Coupled with this, there is the anxiety that children and young people experience when they are aware that their parents/carers are struggling financially. This can be acute when there's a lack of food at home and ongoing uncertainty as to how the family will be able to eat from one day to the next.

Both in the short and the longer-term, hunger, undernourishment and the stress and trauma that arise from food insecurity, erode physical, emotional and mental health, and undermine a young person's ability to learn and therefore to benefit from their school education.

Hunger and food insecurity, therefore, contribute to the poverty-related achievement and attainment gap, which evidence shows, can have lifelong negative consequences for the young people who are on the wrong side of the gap.

### **Hunger and food insecurity**

Public Health Scotland defines food insecurity as 'the inability to acquire or consume an adequate or sufficient quantity of food in socially acceptable ways, or the uncertainty that one will be able to do so'.

By this definition, the EIS is clear that food insecurity affects large numbers of children and young people who attend our educational establishments.

EIS concerns in this regard are borne out by data held by leading national and third sector organisations with expertise on food insecurity.

## **Foodbank use**

Before the introduction of Austerity policies, in 2009 there was only 1 Trussell Trust foodbank in Scotland. That number has increased by more than a hundred-fold to 119 in 2022. In June 2019, there were known to be over 80 other independent foodbanks in operation.

The latest data from the Trussell Trust records that 84,555 food parcels were issued by the organisation in Scotland in the period between April and November 2021. Almost 30,000 of these were to children.

A survey conducted by the Trust in August 2021 found that 7% of people in Scotland had used a foodbank in the preceding 30 days.

Data from the Food Foundation from August 2021 indicates that 10.3% of the population of Scotland experiences food insecurity.

With a quarter of children in Scotland living in poverty, it can be concluded that many are living in homes in which food insecurity is a real issue and for whom, in the absence of adequate social security provision, even with recent Scottish Government supplementary payments, foodbanks are a lifeline.

## **Foodbank and other charity collections of food**

Many schools collect items for donation to local foodbanks at various points in the year and/or organise collections of food to donate as a way of marking Harvest-time and Christmas.

In light of the widespread use of foodbanks in Scotland and of the fact that thousands of children receive food aid from them, it's important to be sensitive to the fact that some families within the school community are likely to be dependent on foodbanks or other charity donations of food for their own survival.

Many will therefore be unable to donate items and are likely to feel the associated stigma of being unable to contribute, as well as the stigma that could arise from the school's focus on foodbanks generally.

Schools' approaches to supporting local foodbanks and organising other charitable donations of food should be carefully considered with these things in mind.

A starting point for the relevant collegiate discussion would be whether it is appropriate at all for the school to be setting up such a charity drive. If the collegiate decision is to proceed, then very careful planning is required to ensure that no child experiences stigma in the course of the school's charity activity in this area.

## **Free School Meals (FSM)**

Free school meals are another essential support for children whose families are struggling as a result of low incomes and high living costs, to buy enough food.

The EIS has welcomed the extension of the universal free school meals offer to children in P4 and P5 during academic session 2021-22.

Universal free school meals provision is a longstanding EIS campaigning objective.

### **The Union supports universal provision because:**

- It increases uptake of school meals and therefore the numbers of children receiving at least one healthy meal during each school day, by removing the need for families to apply. Sometimes the bureaucracy of the current means-tested approach can be onerous, especially where families face challenges with adult literacy or where English is an additional language. The stigma of applying, perhaps by design, is off-putting for many.
- Means-testing also results in unsuccessful applications by families whose incomes are low but not quite low enough to meet the threshold of entitlement. The result for them is ongoing struggle to consistently provide nutritious food for their children. Universalism would help mitigate these challenges.
- Universal provision also increases uptake by removing the stigma that many young people experience in taking a free meal. (The issue of stigma is dealt with more fully later in this briefing.)

Although there have been positive developments over the course of this Scottish Parliament so far, the EIS remains concerned about the time that it's taking to make the free school meals offer to P6's and P7's. 'The Scottish Government originally committed to providing FSM for all P6 and P7 by August 2022. That is a long time away for hungry children whose families are missing out on free school meals entitlements now. And more recently, the Scottish Government has indicated that the timescales for extending provision to these year groups are likely to be even longer than originally pledged.

### **Supporting access to FSM entitlements**

As campaigning continues, it's important to try to ensure that all families who have children in P6-S6 who might be eligible, are supported as necessary to apply for free school meals.

Members are encouraged through their EIS Branch to raise the matter with the appropriate members of the school management team with a view to ensuring that effective processes are in place to make families aware, with due sensitivity, of their entitlements and to support them with applications as necessary.

In the context of increasingly diverse school communities, it's important to ensure that associated communication with families and young people from minority ethnic backgrounds is underpinned by an understanding of the intersectional disadvantage that many within BAME communities experience- discrimination and disadvantage on the grounds of race or ethnicity, resulting in greater risk of socio-economic disadvantage and associated stigma. Additionally, it's important that all relevant advice for families, whether written or verbal, is available in the range of languages that are spoken within the school community.

Some parents will have literacy difficulties regardless of the main language spoken and may require additional support in accessing the relevant information about FSM entitlements.

Consideration should also be given to the schools' approach should it become clear that a young person who may be entitled to free school meals is not included in the provision. This should be with a view to ensuring that there is a clear and sensitive, including culturally sensitive, means of referring and addressing such a wellbeing concern.

## **Breakfast clubs**

The need for breakfast clubs has grown over the past decade in response to the increasing numbers of children who arrive in school hungry. The EIS has also called for universal provision of free breakfasts for children of all ages and stages. The Scottish Government is now planning for this.

In the meantime, there are gaps in provision but the need for breakfast clubs is further heightened by the fact that lunchtimes in many schools are currently being staggered across year groups to enable social distancing in school canteens. Without the provision of breakfast in school, many children who are arriving in school hungry will be going hungry for even longer in the school day than would normally be the case.

In October 2021, Kellogg's commissioned YouGov and Assist FM to survey Primary school teachers and school food providers across Scotland on breakfast club provision within their settings.

The survey found that:

- Children regularly attend school hungry
- 28% of teachers in Scotland say that between 5 and 10 pupils in their class go to school without breakfast
- 14% say that more than 10 pupils in their class go to school hungry
- 58% of schools surveyed have a breakfast club
- A quarter of schools have over 50 pupils attending their breakfast club, highlighting the widespread nature of provision
- 90% of teachers in Scotland say the impact of children not having breakfast

- is a lack of concentration
- 68% of teachers surveyed said breakfast clubs help children settle
- down before the school day.

In the current context, members are advised to seek to ensure that all children and young people who could be, especially those whose families are on low incomes, are included in any breakfast club provision that's in place within the school.

Ideally breakfast club access should be universally available to all children and young people. In terms of the food available at breakfast clubs, this should be fully inclusive of the dietary requirements of all children and young people who attend, with regards to religious/cultural observance and/or any specific health needs.

Associated referrals and approaches to families/ young people who are not currently included in the offer should be handled with due sensitivity and means of ensuring inclusivity of access to the relevant information for all.

Where breakfast clubs are not currently in place, this could be raised as a matter for collegiate discussion with the management of the school with a view to exploring the possibilities of setting one up, for example, using PEF money to support such an initiative, including the employment of appropriate additional staff.

The EIS will monitor the Scottish Government's progress towards universal provision of free breakfast clubs, nationally.

### **Provision of snacks**

The EIS has previously highlighted how members in many instances are providing food to hungry children in their classes, having purchased this themselves. It is commendable that teachers have gone, and continue to go to, such lengths in response to the urgent wellbeing issues that hunger presents.

As outlined earlier in this briefing, staggered breaks and lunchtimes as a Covid mitigation, will mean that some children could be going hungry for longer in the school day than they otherwise would until breaktime or lunchtime. In such a context, arrangements for the provision of snacks are even more important.

Arrangements for the provision of snacks should be raised as a matter of collegiate discussion involving the management of the school, with a view to establishing systematic approaches to ensuring that such wellbeing needs are addressed using school resources.

Many schools have developed approaches that enable effective, sensitive responses where children and young people present with hunger and for the recording of such instances within GIRFEC processes.

## **Poverty-related stigma**

Poverty-related stigma poses a further wellbeing concern for thousands of young people.

That Secondary-aged pupils are entirely missing from the current Scottish Government plans to extend universal free school meals provision makes little sense from a policy perspective, and more importantly, it's prolonging the suffering that many young people between the ages of 12 and 18 are experiencing with regards to hunger itself and the stigma associated with applying for free school meals on a means-tested basis, and going (or not) to collect one each day.

The impact of stigma on young people's wellbeing can't be underestimated.

Research involving people who have lived experience of poverty shows that the associated stigma arising from prejudice and stereotyping is damaging to their wellbeing. Much of the 'povertyist' propaganda that's evident in media portrayals and political rhetoric, is quite deliberately engineered by think tanks and media experts who wish to other and scapegoat people living in poverty.

Those who are the target of this callous stereotyping and shaming, experience embarrassment, humiliation, stress and low self-esteem. Many experience social exclusion as a result of others' attitudes; many others are socially excluded by their own withdrawal from and avoidance of, social situations that risk further shaming.

## **Young people and stigma**

We can conclude that the same applies for many parents who are put in the position of having to apply for free school meals for their children and, of course, for the young people taking free meals in school. This is particularly true for those who are of an age to have awareness of inequalities, especially older children who are more likely to feel the stigma and shame that result from political, social and media attitudes to poverty.

The shift in recent years to using electronic cards to pay for school meals in part addresses some of the issues of stigma. All young people using school canteens have the same type of card - there is no longer the stigmatisation arising from obvious differences in colours of dinner tickets, for example.

But stigma remains. Young people who are entitled to free meals may have less value on their cards than those who are more affluent, and this could be obvious in the meal choices that they make or whether a breaktime snack is purchased or not.

In Secondary schools where young people are generally able to leave the school

building at lunchtime, many visit local shops and cafes to buy their lunch using cash. Those on free school meals either can't participate in this at all or can't to the same extent. Either they stay in school to have a free meal, which is obvious to their peers and to school staff, and they miss out on the social aspects of lunchtimes; or so as to be involved in the social aspect, they go along to the high street but are unable to buy anything, often pretending not to be hungry, thus missing an essential meal. For many young people, hunger is preferable to stigma.

Evidently, neither is beneficial to the health and wellbeing, or the learning, of young people.

The EIS previously highlighted how some young people are bullied because they can't afford to purchase items of food during the school day.

It is for these reasons that the EIS continues to campaign for universal stigma-free provision of free school meals for all children and young people at every stage of their schooling.

With this in mind and in the lead up to the local government elections in May, EIS members, Branches and Local Associations are encouraged to lobby election candidates of all parties on the issue.

### **Summary of advice to members**

Discuss this briefing with colleagues within your Branch, with a view to raising any matters as necessary with the management of the school.

Seek to ensure:

- the availability of whole school advice on how to make a referral when hunger is identified in a child by a member of staff as a concern
- that staff feel confident in identifying and raising any associated issues
- that there is a systemic approach to providing food for children and young people who present with hunger outwith established school meal times
- that processes are in place to support families to access any free school meal entitlements and that associated communication is sensitive, inclusive and accessible to parents/ carers with literacy difficulties and/or for whom English is an additional language
- that children who may be at risk of hunger are included within any breakfast club provision; or where there is none, to begin collegiate discussion of how this might be made possible using school resources
- that school lunches, breakfast clubs and snacks are fully inclusive of the dietary requirements of all children and young people, such as those fulfilling religious/ cultural observance and/or who have any health-related dietary requirements
- that families are advised of or referred to, outside agencies that can offer support in the form of food-aid or advice on matters such as income maximisation, and that
- associated communication is sensitive, inclusive and accessible to those

- with literacy difficulties and/or for whom English is an additional language
- that information about such provision to address low income and resultant hunger and food insecurity is available to all students, e.g., via school noticeboards, websites or PSHE lessons to help reduce stigma and increase uptake
- sensitive consideration of plans for any charity efforts in support of local foodbanks or other charitable donations of food to avoid poverty-related stigma.

Finally, give consideration to how you and colleagues within your Branch/ Local Association might contribute to EIS campaigning for the urgent expansion of universal free school meals provision to Secondary aged young people, particularly in the context of the forthcoming local government elections.

### **Call for good practice sharing**

Any member who wishes to share good practice in addressing the impact of hunger and food insecurity on children and young people in their establishment is welcome to get in touch with the EIS Education and Equality Department by contacting: [jharris@eis.org.uk](mailto:jharris@eis.org.uk)

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## **EIS Submission to the Cross-Party Group on Poverty Inquiry into Poverty-related Stigma**

The Educational Institute of Scotland (EIS), Scotland's largest teacher trade union, representing teachers in all sectors, welcomes the opportunity to respond to the inquiry into poverty-related stigma by the Cross-Party Group on Poverty.

For the most part, the EIS submission will focus on poverty-related stigma as experienced by the children and young people that our members work with daily within educational establishments.

### **Section 1: Impacts of Stigma**

#### **1. What is the scale and extent of poverty-related stigma in Scotland?**

That more than 1 in 4 young people in Scotland are living in poverty- more than 25% of the school population- means that the scale and extent of poverty-related stigma in one of the richest economies in the world, are wide and large.

The EIS is clear that poverty spans all postcodes in Scotland, meaning that there are often children and young people whose families are living in poverty, who attend schools in areas considered to be affluent.

Where this is the case, the stigma felt by young people in poverty can be more acute since the difference between them and their more affluent peers is often more visible and stark.

In school communities where there are many more well-off families, there can be the tendency to organise a greater number of school-related trips and activities that have costs- sometimes significant costs- attached to them, putting them out of reach for children and young people whose family incomes simply cannot afford such costs. This creates quite obvious divisions within the school communities between the 'haves' and 'have nots', with associated stigma felt by many of the latter, particularly among the older age groups where understanding of socio-economic differences is more developed.

These differences can also be apparent in young people's school clothing and equipment, access to digital devices and data, friendship groups and ability to participate in related social events and activities.

The EIS is aware of some incidences of bullying of children and young people who are living in poverty by less disadvantaged peers.

## **2. What are the key impacts of poverty-related stigma on you and/or the people that your organisation works with?**

EIS members observe a range of impacts of this kind of stigma on children and young people:

- Emotional impacts- shame, embarrassment, humiliation, low self-esteem- sometimes amounting to trauma response where stigma has been felt over a long period of time;
- Emotional impact resulting in behavioural impact- distressed behaviour;
- Intersectional stigma for BME and disabled young people who experience stigma for reasons related to structural inequalities associated with those protected characteristics, also;
- Unwillingness to seek/ accept support that might exacerbate the sense of 'othering' already felt;
- Giving other reasons than the actual as to why homework hasn't been done- no access to the internet at home, house is cold, no electricity, etc.;
- Trying to hide poverty by saying that they have no interest in school trips or other activities that incur cost;
- Saying they have no interest in studying subjects for which there have been associated costs for materials;
- Not taking the Free School Meals to which they are entitled and going without food all day to avoid being set apart from peers who use high street shops and cafes at lunchtimes;
- Withdrawal from certain social situations to avoid stigma- e.g. not joining friends at lunchtimes because they have no money to spend in local shops on food and snacks; not joining in social events after school that involve costs. For many young people, this means spending a lot of lunchtime and other leisure time on their own;
- Staying off school on days that have been designated 'non-uniform' days because they don't have clothes on a par with peers;
- Staying off school on charity fundraising days because their families can't contribute money and young people don't want this to be obvious to their teachers or peers.

## **3. How does poverty-related stigma impact on communities that are more likely to be affected by poverty?**

Additional to what's described above, EIS members express concern about the impact of stigma on some parents living in poverty, which can result in them being less likely to participate in school-based activities and events such as parents'

evenings, parent council meetings, and even in 'fun' activities such as joining the audience for school concerts, shows and other performances.

As their children do, many parents living in poverty will seek to hide the fact by providing their children with money, equipment, clothing, food in order that they don't experience stigma, but this often means that those parents are going without basic essentials- even food- themselves.

Sometimes with no other option, parents will encourage their children to withdraw from social situations or even some educational opportunities because of lack of affordability and risk of stigma.

The EIS shares the view that policies that determine that access to social protections such as free school meals, which are on a means-tested basis, are based on a calculation that, as a result of stigma, not all who are entitled will apply or use the entitlement. Many families do not apply for the free school meals to which they are entitled because of the associated stigma of this being a marker of poverty. We conclude that policies and processes around what should be vital social protections are designed in such a way as to capitalise on the stigma that certain communities are more likely to experience. This is not acceptable.

**4. Does poverty-related stigma impact on the ways that public services are delivered? If yes, please give examples.**

Yes.

Many school staff are aware of the impacts of poverty upon children, young people and families, and have shaped policy and practice with regards to young people's participation across the range of activities that schools offer, consciously and sensitively in ways that seek to avoid/minimise stigma.

For example, some initiatives that are supported by the Pupil Equity Fund, which is designed to be targeted towards children impacted by poverty, are inclusive of all children in a class so as to avoid the singling out of individuals or small groups of young people whose socio-economic backgrounds would qualify them for PEF intervention. Such activities, though, are designed to improve outcomes for those young people while being inclusive of their peers.

**5. Do particular groups of people living on low incomes (for example women, disabled people, Black and minority ethnic people, young people) experience stigma in different ways? If yes, please give examples.**

Yes

BME and disabled people are at significantly greater risk of poverty and also experience stigma and exclusion, including from employment, as a result of race and ethnicity, and disability, respectively.

For these groups, in many cases, there is an intersectional double-whammy of stigma; therefore, the stresses and exclusions that occur as a result of stigma are often intensified for BME and disabled people, including children and young people, living in poverty.

For disabled people who are in poverty and who require and are entitled, to access social security supports, convoluted and stigmatising bureaucratic processes are quite deliberately baked into the system to dehumanise people in the process of applying and receiving associated payments, and to discourage pursuit of entitlements.

Similarly, women in Scotland are at greater risk of poverty and therefore stigma, than men. Period poverty and stigma are an additional facet of this, affecting girls as well as women, which is why the move to make period products available in all educational establishments in Scotland in recent years has been so important.

Societal pressures intensified through media and social media, place greater expectations on women and girls than on men and boys in terms of physical appearance, which often carries additional costs. Where women and girls are unable to meet these costs, there is heightened risk of associated stigma from not having the financial means to conform to societal expectations with regards to clothing, makeup and personal grooming.

Since responsibility for childcare continues to remain disproportionately with women, and where the vast majority of single parents, who are a greater risk of poverty, are women, women disproportionately experience the stigma associated with their children being visibly poorer within the school or wider community. They are more likely to feel that this is somehow down to a fault that lies within them rather than it being the result of deep-rooted structural gender inequalities coupled with contemporary political decision-making.

Amidst a hostile political and media environment towards migrants, refugees and asylum seekers, these groups are very likely to experience poverty and associated stigma, as a result of a combination of the circumstances of their arrival in Scotland, UK Government rules with regards to employment, deliberately hostile and dehumanising bureaucracy related to immigration and asylum processes, and rhetoric and attitudes that demonise and 'other' members of these groups.

## **Section 2 Causes of poverty-related stigma**

### **6. In your view, what is the primary cause of poverty-related stigma?**

The primary cause of poverty-related stigma is deep societal inequality that's underpinned by the belief that the lives of some human beings are worth less than others and that those human beings are less entitled to dignity, respect, opportunity, wealth and quality of life.

All-pervasive and powerful media interests both within traditional and social media perpetuate myths of 'success' and 'goodness' and 'failure' and 'badness' of human beings in terms of their wealth or lack of it, respectively. Wealth and poverty in many ways have become proxies for 'good' and 'failed', even 'bad' human beings, who have simply made the wrong choices in life, the psychosocial impacts of which are significant.

Those with vested political interests in maintaining the status quo- the beneficiaries of unequal wealth distribution- also articulate these beliefs in their political rhetoric and in the design of government policy, the implementation of which further reinforces both attitudes to and actual, socio-economic disadvantage.

### **7. What role do you believe the media, including social media, play in causing poverty-related stigma?**

Additional to that outlined above, media and social media commercial advertising encourages consumerism in pursuit of happiness and as an expression of personal worth, encouraging self-aggrandisement of those who can afford to purchase goods and products, contrasted by a sense of relative failure and worthlessness among those for whom promoted products are unaffordable and out of reach.

### **8. What role do you believe public figures (politicians, business leaders, celebrities, and others) play in creating and/or perpetuating poverty-related stigma?**

Additional to what's outlined in our response to Question 7, some politicians, celebrities and business leaders prioritise wealth and status, and identify these within their public appearances and other communications, as markers of human worth and success, which for those who have neither, because the system is structured to favour a privileged minority, reinforces the sense of their relative unimportance and 'success' as human beings.

There is a tendency for some within those groups and those who bolster them to perpetuate something like the myth that is the American Dream- that if only individuals tried/strived/worked hard enough, then they would 'make it' and success in the form of wealth (and status) would come their way, the corollary being that lack of wealth is a consequence of personal failings and inadequacies.

Associated with this kind of myth-peddling can be a distorted focus on exceptional cases where individuals who have grown up in poverty and who acquire wealth later in life, are held up as examples to suggest that if they can 'achieve success' like this, then anyone can, if only they had high enough aspirations and worked hard enough to achieve them.

Children and young people are very impressionable to this kind of false narrative about poverty and wealth, success and failure, this not only shaping their views potentially of themselves, but of their parents, other adult family members and adults in their wider communities.

### **9. How do public bodies and public services contribute to poverty-related stigma?**

Education services risk contributing to poverty-related stigma if the staff working within those services are not sufficiently supported to develop/enhance their awareness of the nature, actual causes and real consequences of poverty for people forced to live with it; and if the service overall doesn't enable and encourage service delivery in such a way as to reduce stigma.

Where public bodies as employers do not pay their staff decent wages, they contribute to poverty and therefore poverty-related stigma.

### **10. Are there any other bodies, organisations or individuals that you believe play a role in creating and/or perpetuating poverty-related stigma?**

The UK Government has quite deliberately stoked negative attitudes towards the most socio-economically vulnerable in society for over a decade now, to justify social security cuts, and creating and perpetuating poverty-related stigma for the millions who experience it as a result of policy-making in the interests of the economic elite.

### **Section 3: Tackling and ending stigma**

#### **11. What is the key change that can be taken that would help tackle poverty related stigma?**

Eradication of poverty as an imperative of our political system has to be the key change- it is not acceptable simply to make people feel less bad or a bit better about being poor. Politicians need to be held to account regarding their false narratives, and pressure applied to them by an informed electorate to create, resource and sustain policies that are actively and wholly anti-poverty, and pro-human rights, pro-equity and pro-equality.

#### **12. What changes can the media make to help end poverty-related stigma?**

The media could stop demonising poor people and giving column inches and air-time to individuals and groups who are part of the problem in cementing stigma. Government could legislate to prevent this kind of prejudice-stoking portrayal of people living in poverty.

The media could have a critical role to play in informing the electorate and the wider public about the reality of poverty and how to prevent it.

The recent CPG session involving journalists demonstrated that there are many who seek to act ethically on the issue of poverty and who have concerns about decision-making by owners of media outlets who look to profit both directly and indirectly from the mis-portrayal of poverty and of the people who experience it.

Organisations in Scotland and other parts of the UK could combine forces to counteract the hostile narratives perpetuated by the right-wing media.

#### **13. What role can public figures play to help end poverty-related stigma? Please give examples of existing good practice where possible**

Prominent public figures can use their voice and public profile to challenge existing false narratives and present alternatives. Marcus Rashford's campaigning around hunger and food insecurity, particularly as it impacts on children, is a good recent example of this in action.

#### **14. What changes can public services and public bodies make to help end poverty related stigma?**

Focusing specifically on Education first, this should be entirely free at the point of use, with no costs applied to any school-related activity, whether it be purely a learning activity, such as learning to play a musical instrument or learning to bake a cake; or a social activity, such as a school disco or a prom. To avoid stigma arising from inability to meet hidden costs, these should also be considered in the planning of any activity and removed, otherwise barriers to participation will remain.

With regards to free school meals provision, this should be on a universal basis, across all sectors, ages and stages. Currently Scottish Government policy is to expand provision to all primary-aged pupils- the original plan was to do this by August 2022, though there are now forecast to be delays to the provision reaching P6 and P7, with no new date specified.

Secondary-aged young people are not included in the plans at all, yet these age-groups are equally likely to experience hunger and particularly likely to experience the stigma associated with taking a free meal in school when their more affluent peers do not.

A huge source of stigma would be removed- and pressing issues of hunger and food insecurity addressed- if school meals (or the means to access an alternative) were universally provided to all children and young people immediately.

It's important that staff members in organisations that work with people, particularly on a front-line basis, have an understanding of the experiences, needs and rights of the people within the communities whose needs they're serving. This requires public service employers to provide the requisite support and professional learning opportunities to their employees to enable this.

The EIS has been working with Scottish Government to develop a package of professional learning for teachers, that supports exploration and enhanced understanding of the nature, causes and consequences of poverty, particularly with regards to children and young people's experiences of education; and of the kinds of interventions with regards to ethos, policy and practice, that could mitigate the negative impacts, including with regards to stigma.

With rising levels of poverty and child poverty, and as we approach what we hope will be a more just and equitable education recovery, it is even more important that teachers are enabled to access this learning.

With sufficient resource, similar approaches could be taken within other areas of the public sector as a starting point.

**15. What other bodies or organisations do you believe have a responsibility for helping to end poverty-related stigma, and what particular changes can they make?**

**National and local government**, aligned in purpose towards poverty

prevention, and in active avoidance of power struggles, lack of

transparency and weak budgeting arrangements that inhibit effective collaboration against poverty. Each level of government must be clear on its role in addressing poverty and associated stigma (coherent policy making across areas from transport to housing to social security and education and taxation) and committed to deploying the necessary resources to tackle it, including in their capacities as employers who are signed up to the Fair Work agenda.

**Employers** by signing up to and delivering Fair Work, including decent conditions of employment and wages, and by understanding the role that they need to play in eliminating poverty and related stigma.

**Civil society organisations**, including trade unions, by holding government to account, providing relevant opportunities for their own members to learn about and challenge poverty, and by acting as Fair Work employers also.

**Third sector organisations** through the adoption of rights-based, anti-stigmatising practices for engagement with people who use their services, holding government to account, by providing relevant opportunities for their own members to learn about and challenge poverty and acting as Fair Work employers.

**Faith groups** by adoption of rights-based, anti-stigmatising practices for engagement with people within their own and other faith communities, holding government to account, providing relevant opportunities for their members to learn about and challenge poverty and, as appropriate, acting as Fair Work employers.

**Community organisations** by adopting rights-based, anti-stigmatising practices for engagement with people within their own other communities, holding local government to account, providing relevant opportunities for their members to learn about and challenge poverty and, as appropriate, acting as Fair Work employers.

**Young people's organisations** by holding government to account, providing relevant opportunities for their own members to learn about and challenge poverty, and, as appropriate, acting as Fair Work employers also.

**16. Is there anything else that you would like to tell us in relation to the drivers, impacts and solutions to poverty-related stigma?**

The EIS would hope that the creation of the CPG and its associated inquiry activity will lead to the kinds of cross-party commitment required to begin to shift the narrative on poverty in preparation for longer-term change that will see the end of the human rights violation that poverty is, and thereby, the associated stigma.

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## **EIS Member briefing: the Gender Recognition Reform bill**

### **Introduction**

On the 3<sup>rd</sup> of March 2022, the Scottish Government published the Gender Recognition Reform bill, which sets out plans for amending the process transgender people have to go through to change their legal sex to match their gender identity. The process for changing legal sex has been in place in the UK since 2004 but has been described as intrusive and out of date.

Over recent years, the EIS has observed a rise in toxic debate and misinformation around the proposed changes, and the existing rights of transgender people, and is aware that many members will be unsure what the implications of the new Gender Recognition Reform bill are.

The EIS has a commitment to high standards of education rooted in equality and inclusivity. The EIS's overarching position is the principle that young people have the right to learn, and teachers and lecturers have the right to work, in an educational environment that is free from discrimination, where the rights of all are equally upheld.

This briefing intends to give an overview of the Gender Recognition Act (GRA), the proposed reforms, and the EIS position.

### **Transgender people in Scotland**

There is no accurate figure of the transgender population in the UK, however estimates would suggest that there are around 30,000 transgender people in Scotland – roughly 0.2% of the population.

Transgender people are protected from discrimination, harassment, and victimisation under the Equality Act (2010). Unfortunately, many transgender people still experience discrimination and inequality because of who they are. In 2017, LGBT Youth Scotland found that 82% of trans young people experienced bullying in school.

There is widespread lack of awareness, visibility, and accurate representation of trans people across all spheres of society, although this has improved somewhat in recent years with some representation in TV-shows and other media productions.

## **The Gender Recognition Act**

The Gender Recognition Act sets out the process in which transgender people can change their birth certificate, to have their gender identity recognised as their legal sex.

Trans people in Scotland can already legally change their sex without a GRC on their passport and drivers license, but not on their birth certificate, which they may need to obtain pension rights or get married.

Currently, to obtain a Gender Recognition Certificate, trans people are required to, amongst other criteria, be over 18 years of age, have obtained a formal diagnosis of gender dysphoria, provide evidence that they have lived in their 'acquired gender' for two years, and make an application to a panel of medical and legal experts who will either deny or approve the application. Currently, in the case where the applicant is married, they must have spousal consent to proceed with the application.

In comparison, many other European countries, such as Portugal, Ireland, and Norway, have already made it such that legal recognition can be obtained on the basis of self-declaration.

The EIS is supportive of a self-declaration system for gender recognition and for the process to be made more accessible, recognising the detrimental impact of the current process on transgender people's mental health and wellbeing. The EIS is clear that trans women are women and trans men are men.

## **The reform**

The main reforms within the bill as announced on the 3<sup>rd</sup> March 2022 are:

- To lower the age at which a trans person can apply for a GRA, from 18 to 16, bringing this in line with voting rights in Scottish elections.
- To require a statutory self-declaration instead of medical evidence and a psychiatric diagnosis.
- To reduce the requirement to show evidence that you have lived in your gender for two years, to three months, with an added three-month reflection period after an application has been made.

There will be no changes, or new exemptions, to the Equality Act (2010) as a result of the GRA Reform.

## **The Equality Act (2010)**

The Equality Act legally protects people from discrimination in the workplace and wider society, prohibiting discrimination on the basis of protected characteristics.

Protected characteristics are age, gender, sexuality, disability, pregnancy, race, religion, marital status, and gender reassignment.

There is a limited number of exemptions, for example, cases where it is permitted to provide a different service on the basis of a protected characteristic. With relevance to schools, these can be found in the [Technical Guidance for Schools](#), which outlines the requirements of the Equality Act (2010) for schools in relation to the provision of education.

In late 2021, the EIS Equality Committee developed a [briefing](#) for members on the Scottish Government's updated guidance on supporting transgender pupils in schools. The purpose of the briefing is to inform members of the refreshed Scottish Government advice and provide details of key technical updates within it.

The briefing includes a question-and-answer section informed by EIS legal advice on the Equality Act (2010) and the technical guidance in relation to pupils protected by the characteristic of 'gender reassignment'. Members should consult this briefing, and the Scottish Government guidance, for advice on support transgender young people in schools.

Should the bill be passed, and it is likely that it will be, our guidance will be updated with further detail, as necessary, if there are changes to the current process in which young people have their gender identity recognised in school.

With relevance to the provision of single-sex activities within school, the EIS briefing confirms the position within the current technical guidance:

"Where there is a difference in service or activity between boys and girls, transgender people should be treated according to their gender identity – or, if they are non-binary, on the basis that they have a choice (and this might alter from time to time). So, if a school activity is divided between boys and girls, a transgender boy should as the standard, be with the rest of the boys."

## **Objections to the Bill**

When the Gender Recognition Act (2004) first entered through UK parliament, a significant bulk of the opposition was on religious grounds, whereas today, members may come across frequent media attention on perceived risks. The bill will make the process of obtaining a birth certificate that matches a person's gender identity less intrusive, which is misunderstood by some to mean that trans people will have new rights and entitlements to single-sex services. This is wrong – trans people already have access to single-sex spaces such as toilets, changing rooms and services on a basis of their gender identity, and services are permitted under exemptions to the Equality Act (2010) to provide a different service to trans people, where it is legitimately necessary – for example, if it is safer for the trans person.

Some of the opposition to the bill reform is concerned that men, who are not trans, will pretend to be trans in order to obtain access to women-only spaces. This in theory, is already a possibility within existing legislation, as most women-only spaces are on the basis of self-identification, not proof of birth certificate.

Single-sex services such as Women's Aid and Rape Crisis have officially operated on the basis of self-identification for over a decade, and have robust risk assessments to ensure the safety of their service users – including the right to refuse service to anyone who is a legitimate threat to others.

Unfortunately, much media rhetoric concerned with the dangers of legislation that aims to lessen the current stresses for trans people, reinforces harmful stereotypes, which can be detrimental to trans people's mental health, and their personal safety.

### **Tackling Gender Inequality**

The EIS is equally clear that the risk to women's equality and safety is not the fault of trans people.

The EIS believes that Scotland is a patriarchal society in which women and girls continue to experience gender inequality, discrimination and stereotyping, as do gender-non conforming people.

Non-conformity with gender roles is still perceived as problematic by some, and children and young people are still mocked for and pressured around non-conformity, as we point out in our guidance 'Get it Right for Girls - challenging misogynistic attitudes among children and young people', which remains an essential advice on tackling misogyny in educational establishments. However, the EIS believes that the continuation of essential efforts to tackle sexism should neither advertently nor inadvertently deny rights to transgender people.

The EIS believes it will remain important for organisations to keep records based on sex, in particular in relation to sex-based oppressions, deriving from biological functions such as being able to menstruate, become pregnant, give birth, and experience the menopause. Organising around women's inequalities and holding women's events and conferences, etc. should be transgender and non-binary inclusive.

### **Timeline**

2004 - The Gender Recognition Act (2004) enters into effect. The legislation was introduced after the European Court of Human Rights ruling in 2002 that a trans person's inability to change the sex on their birth certificate was a breach of their Human Rights.

2017 – the Scottish Government publishes a review of GRA and announces intentions to reform in line with international best practice, stating that the GRA (2004) is out of date and intrusive.

2018 – The Scottish Government receives 15,500 consultation responses regarding how the Gender Recognition Act (2004) could be improved. Two-thirds (65%) of respondents agreed with the proposal of a statutory declaration system.

December 2019 - The Scottish Government publishes a draft Gender Recognition Reform (Scotland) Bill, opening consultation until March 2020.

March 2020 – The Scottish Government receives 17,058 responses, including 215 from organisations on the GRA consultation. Only 55% of respondents are residents in Scotland.

April 2020 - The Scottish Government announces de-prioritisation of new primary or secondary legislation due to the public health crisis.

June 2020 – The European Commission places Scotland’s GRA 2004 in the second to bottom category when comparing gender recognition access in 28 European countries, due to its intrusive medical requirements.

September 2020 – the UK Government publishes results of a public consultations showing majority support for reform but decides not to change the current law.

March 2022 – the Scottish Government publishes the Gender Recognition Reform Bill introducing improvements to the process of obtaining legal recognition for trans people.

## **Glossary**

**Assigned sex** – is a term used to describe the sex on someone’s birth certificate, which is determined usually by visual inspection of the genitals of a baby just after birth.

**Gender dysphoria** – is a term used to describe discomfort or distress experienced by someone because their gender identity does not match with the sex they were assigned at birth.

**Gender identity** – is a term used to describe our innate sense of self in relation to being a man or a woman or something in between or beyond this binary.

**Gender non-conforming** (adjective) – is used to describe someone who appears not to conform to societal expectations of what are appropriate expressions of

their gender, for example in terms of roles, behaviours, appearance. Anyone of any gender identity can be gender non-conforming.

**Gender reassignment** – in the Equality Act (2010). This term is used to refer to any part of a process of transitioning away from the sex assigned at birth, this can be socially, surgically, hormonally, etc.

**Non-binary** (adjective) – is used to describe someone who does not identify strictly as a man or a woman.

**Trans/transgender** (adjective) – is an umbrella term used to describe anyone whose gender identity does not fully correspond with the sex they were ascribed at birth.

**Trans man** – a man who was assigned female as his sex at birth, but has a male gender identity.

**Trans woman** – a woman who was assigned male as her sex at birth, but who has a female gender identity.

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# The Educational Institute of Scotland

## Standardised Approach for References for Teachers

### 1. Introduction

1.1 The following resolution was approved by the 2021 Annual General Meeting.

*"This AGM calls on Council to investigate and report on the feasibility of an agreed standardised approach across all local authorities being adopted for references for teachers to enable agreed common formats to be provided for every level of post."*

1.2 This report considers both legal and SNCT contexts and the recruitment practices of councils. It also considers examples from employment law cases.

### 2. The Legal Context

2.1 An employer doesn't usually have to give a work reference. However if they do provide one, it must be fair and accurate. Workers may be able to challenge a reference they think is unfair or misleading<sup>1</sup>.

2.2 Employers must give a reference if there was a written agreement to provide one and/or they are in a regulated industry or sector.

2.3 Once the worker starts with a new employer they can ask to see a copy of a reference. They have no right to ask their previous employer. In addition, the Information Commissioner's Office advises that if the reference is given in confidence, it is exempt from disclosure<sup>2</sup>.

2.4 Teaching posts are considered Regulated Work with Vulnerable Children and/or Protected Adults, under the Protection of Vulnerable Groups (Scotland) Act 2007. Preferred candidates are required to join the PVG Scheme or undergo a PVG Scheme update check prior to a formal offer of employment being made by a council.

### 3. References for Teachers – The SNCT Context

3.1 The Scottish Negotiating Committee for Teachers (SNCT) is a tripartite negotiating body whose constituent members are drawn from the Convention of Scottish Local Authorities (COSLA), the Scottish Government and the recognised trade unions representing teachers in Scotland.

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<sup>1</sup> <https://www.gov.uk/work-reference>

<sup>2</sup> <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/right-of-access/what-other-exemptions-are-there/>

- 3.2 The principal purpose of the SNCT is to negotiate collective agreements on salaries and conditions of service that assist the development of a highly skilled and motivated teaching profession.
- 3.3 The SNCT allows certain devolved matters to be negotiated at local level through Local Negotiating Committees for Teachers (LNCTs). (Appendix 1.3 of the SNCT Handbook<sup>3</sup> defines national and devolved matters and provides the model framework for local recognition and procedure agreements.)
- 3.4 Appointment procedures, particulars of employment and expenses of candidates for appointment are all matters which are devolved to the LNCTs. Accordingly, both COSLA and Scottish Government hold the position at meetings of the SNCT Support Group and elsewhere that it is not within the remit of the SNCT to direct councils on how they should recruit their employees. Against this background, it is difficult to foresee the circumstances where a standardised approach being adopted for references for teachers across all 32 councils could be achieved.

#### **4. Recruitment practices in councils**

- 4.1 Currently, it is for each council to determine its own recruitment policy including the use of references and the timing of their consideration in the recruitment process.
- 4.2 Some references can be brief and include only quantitative information including job title, salary and length and location of employment. Other references, however, ask referees to include qualitative information and to appraise candidates using a range of factors. These can include quantity of work, attendance, demonstration of curriculum development and timekeeping/punctuality. There is the risk that candidates who have a disability could be marked lower if their disability affects their attendance and/or timekeeping/punctuality.
- 4.3 The national jobs-portal for all Scotland's 32 councils is myjobscotland. Other public sector bodies, from Universities and Further Education Colleges to Charities and the Scottish Fire and Rescue Service also use the site. Arising from this development, all applications are now made on-line.
- 4.4 All councils use references as part of the recruitment and selection process. However, applicants for teaching posts in certain councils are required to submit references at the commencement of the recruitment procedure. These councils will also undertake pre-employment checks and will seek additional information from other referees before making a formal offer of employment. Outlined below are examples of councils who adopt this procedure.
  - 4.4.1 East Dunbartonshire Council and West Dunbartonshire Council

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<sup>3</sup> [https://www.snct.org.uk/wiki/index.php?title=Appendix\\_1.3](https://www.snct.org.uk/wiki/index.php?title=Appendix_1.3)

Applicants for teaching posts with the council are required to ensure that a Headteacher's report is completed by their Headteacher and attached to their application form before the closing date. Headteachers are asked to comment on *inter alia*:

- The effectiveness of the candidate in their present post.
- Their general strengths in areas such as knowledge of curriculum, lesson planning and assessment.
- In what way the applicant has contributed to curriculum developments from which pupils have benefited.
- How successful the applicant has been in sustaining pupil motivation and interest.
- The applicant's strengths and suitability for the post.

#### 4.4.2 North Ayrshire Council

As part of the selection process, North Ayrshire Council asks applicants to provide one completed reference alongside the application form. References are read in conjunction with this form. Applicants who do not submit references in time will be placed at a disadvantage compared to those who have provided appropriate references, as additional points will be added to the scores where the panel are in receipt of a satisfactory reference (i.e. 0 points for no reference received and a maximum of 6 points for a very strong reference). The second referee will be contacted by the Council if applicants are the preferred candidate for the post.

#### 4.4.3 Perth and Kinross Council

Perth & Kinross Council operates an open reference policy. References are required for the start of the interview process. Applicants are asked to approach the referees and ask them to complete and submit references by e-mail to prior to the date of the interview. The job profile and reference template are attached to adverts for forwarding to the referees.

#### 4.4.4 South Ayrshire Council

References will be obtained and scrutinised as part of the Council's pre-employment checks. The Council claims that the purposes of references are:

- To provide a background employment history and valuable information
- To assist in assessing performance in previous roles, personal qualities and characteristics
- To help maintain a safer and more secure standard of recruitment.

Upon satisfactory completion of all relevant pre-employment checks, an unconditional offer of employment will be made to the preferred candidate via email or letter. This will include the start date.

4.5 Other councils use pre-employment checks as part of the recruitment and selection process. The submission of these references is required following interview when the applicant has been designated the preferred candidate. However, a formal offer of employment will not be made until satisfactory completion of this process. Outlined below are examples of councils who adopt this procedure.

#### 4.5.1 Clackmannanshire Council

Referees should include the most recent employer of applicants who are asked to make sure referees are willing to provide a reference before adding their names to the application. The preferred candidate will only be given a start date once all pre-employment checks are completed satisfactory. This includes references.

#### 4.5.2 Dundee City Council

Applicants are required to provide details of two referees who can provide information about them which is relevant to their application. One of the referees must be their current or most recent employer. If applicants have no suitable previous employer who is able to provide an employment reference, a reference can be accepted from education establishments where they have been in education, or a character reference can be accepted from a person of 'good standing', e.g. Minister, Leader of Voluntary Organisation, GP.

#### 4.5.2 Highland Council

Pre-employment checks are made at Stage 4 of the recruitment process. If candidates are successful at interview and offered the job, there are a number of pre-employment checks which need to be completed before they can join the Council in post. At this point, referees will be contacted if candidates are not already employed by Highland Council. If a PVG check is required for the post, a form will be posted to candidates directly by the HR Recruitment Hub.

#### 4.5.3 West Lothian Council

The successful candidate will receive a conditional offer of employment, pending completion of the following checks, as appropriate.

- Pre employment health check
- References
- PVG
- Eligibility to work in the UK

A formal offer of employment will be issued only when all checks have been satisfactorily completed.

4.6 Based on the information gathered, there are a number of recruitment practices across Scotland. In addition, there are a varying number of approaches used with regard to references including the timing of their

consideration within the recruitment process and contents contained therein. For these reasons, it is unlikely that the EIS could be successful in persuading all 32 councils to adopt a standardised approach for references for teachers across Scotland.

## **5. References for Teachers – The Employment Law Context**

5.1 There are considerable advantages in councils adopting a standardised approach for references. This approach would ensure that both format and content were such that everything is easily verifiable and not subjective. In addition, a standardised approach to references minimises the risk of verbal reference requests and discriminatory comments being made.

5.2 These points are exemplified in the following the judgements from certain employment law cases. It should be noted that reference cases tend to be processed through the civil courts as defamation or breach of contract cases rather than through the employment appeals tribunals.

5.2.1 McKie v Swindon College [2011] EWHC 469.

An employer was found to owe a duty of care to its former employee even though six years had passed since the employment ended, and even though the relevant comments were not made in a formal reference. The college was liable for making careless and fallacious comments about its former employee in an email to the employee's new employer, the University of Bath, which resulted in the employee's dismissal. Swindon College realised that its email might have an impact on the employee's employment, so the damage was entirely foreseeable.

5.2.2 Bartholomew v London Borough of Hackney [1999] IRLR 246.

The judge determined that a referee owes the employee a duty to take reasonable care to ensure information it contains is true, accurate and fair and does not give a misleading impression.

5.2.3 Spring v Guardian Assurance plc [1994] ICR 596.

In some circumstances, there will be an implied term in a contract of employment that the employer will take all reasonable care when preparing a reference on behalf of an employee, even after the employee has left employment. This is even more important where an employee is still employed and a breach of the implied duty to take care when preparing the reference could result in a constructive unfair dismissal claim. If "taking all reasonable care" could be read as completing the standardised reference properly, this may be an argument that it keeps employers safe from a risk of breaching the implied duty of care.

## **6. Conclusion**

- 6.1 For the reasons outlined above, although desirable it is currently not feasible to agree at the SNCT a standardised approach being adopted for references for teachers across all 32 councils.
- 6.2 Nevertheless, references are essential in securing employment to a teaching position in a school. Without references, and the concomitant pre-employment checks, it is not possible to secure employment by other means.
- 6.3 It is accepted practice in most schools and councils that references will be provided if requested, since refusal to do so could result in adverse consequences for the employee. Local Associations should, therefore, seek to secure the following commitments from councils:
  - 6.3.1 All council employees involved in the recruitment and selection processes should undergo equality training. This training should include reference to the issue of unconscious bias.
  - 6.3.2 Recruitment policies of all councils should remind managers of their responsibility to avoid discrimination and their responsibilities in terms of the Equality Act 2010.
  - 6.3.3 Equality impact assessments should be carried out by councils on any written reference templates and/or headteacher report templates to address the issue of possible unconscious bias.
  - 6.3.4 While it is not currently feasible to agree a standardised approach for references for teachers across all 32 councils, Local Associations, through the LNCTs, should seek to secure a standardised approach for references for teachers within each council.
  - 6.3.5 Local Associations should seek to ensure that both format and content of references for teachers are such that everything is easily verifiable and not subjective.
  - 6.3.6 Local Associations should seek to ensure that councils demonstrate that final selection decisions are not based entirely on the content of any reference.