

T: 0300 244 4000  
E: scottish.ministers@gov.scot

Larry Flanagan  
General Secretary  
EIS

Your ref:  
Our ref: 36995907

15 March 2022

Dear Larry

Thank you for your letter of 14 March clearly setting out the views of EIS on a range of current issues.

Firstly, in relation to CERG meetings, the group has been a tremendous asset to Scotland's education system as we've navigated the challenges of the pandemic. Thank you again for your role in making that a success, and helping to inform numerous policy decisions.

Going forward, as previously indicated, we need to ensure that we are using our leadership capacity across the system in the right way to support outcomes for children and young people. That means that we need to consider the appropriate points of engagement, and have clarity around our governance structures.

Addressing your point that COVID is not over, I would agree with that and believe we must remain prepared, vigilant and resilient given the uncertainties posed by this virus. That is why I have asked officials to proceed with a CERG Monitoring Group which will continue to meet regularly and provide a mechanism for appropriate review and discussion of the data and evidence.

In addition, as I highlighted last week, should it be necessary to stand CERG up again in its full capacity we will not hesitate to do so. That could come about either through: i) a clear and demonstrable shift in the course of the pandemic (e.g. through the discovery of a new Variant of Concern), which necessitates a general increase in the level of response, or ii) through the Monitoring Group having a particular concern that they collectively feel the need to escalate.

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However, the Strategic Framework Update last month also made clear that: *“we expect to be less focused on suppressing case numbers than in the past, and more on reducing and mitigating harm. This recognises that - after two years of the pandemic and in light of vaccines and treatments - the impact of the other harms that arise from a strategy overly focused on suppression is too great.”*

On such issues, I believe we have other, existing points within our governance to progress engagement. The Scottish Education Council, in particular, was re-established last year as the key stakeholder forum for oversight of improvement and recovery activity in Scotland. As you will recall, the SEC was stood down when CERG was established to advise on the educational response to the pandemic. Going forward, I believe that the SEC, of which the EIS is a key member, is now the correct forum to provide the strategic oversight and governance required.

In response to some of the specific issues you reference including moderation practices and verification approaches for the qualifications this year, my officials are not aware of these concerns being raised previously. Responsibility for operational delivery of the National Qualifications rests with the Scottish Qualifications Authority (SQA), and there continues to be opportunity for partners to raise concerns around delivery through the National Qualifications 2022 Group or directly with SQA. In addition, any concerns regarding how local authorities and schools are delivering at a local level should be raised with the individual authorities or with the Association of Directors of Education (ADES) who can raise and discuss this at a national level.

You mention that teachers in primary schools in some Council areas have no additional support for learning owing to high staff absence, and the need for Support for Learning staff to cover classes. I am acutely aware of the excellent job that schools and local authorities have been doing in responding to the ever changing circumstances due to COVID-19, being flexible in their approaches ensuring that support is put in place for children and young people with additional support needs. My officials are actively engaging and listening to key stakeholders to ensure that where issues arise we are there to offer support and advice, along with wider colleagues in Education Scotland, CoSLA and ADES ASN network to ensure that children and young people with additional support needs continue to get appropriate support.

You also raised concerns regarding asymptomatic testing. As you will know, the First Minister has now confirmed the details of our [Test and Protect Transition Plan](#), which was published today. The Transition Plan set out the timelines for moving away from population-wide testing aimed at reducing transmission, towards a more targeted approach to testing. It set out a new strategic intent for Test and Protect, which is to support the effective management of Covid-19 as it becomes endemic, to support patient treatment and care; protect those in highest risk settings; monitor prevalence and the risk of new variants, respond to outbreaks, scale if required for future health threats, and build a legacy for wider population health benefit.

As part of the transition plan, the schools asymptomatic testing programme will end at the end of this term (for ELC settings which do not operate to school term dates, the final date for testing will be 17th April). In the new term (from 18<sup>th</sup> April) staff and secondary pupils in mainstream and special schools and ELC settings will no longer be advised to test twice weekly.

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The wider Test and Protect Transition Plan will also see regular testing in other low-risk workplaces, and the universal testing programme, cease operation on the same timescales (ending from 18<sup>th</sup> April). Further details on other aspects of testing (including close contact testing) can be found in the [Test and Protect Transition Plan](#).

I do appreciate that some people may feel anxious about these changes in our overarching approach to dealing with COVID-19. However, our decisions have been informed by advice provided by the National Incident Management Team, Public Health Scotland, senior clinicians and the Advisory Sub-group on Education and Children's Issues. I understand that my officials have already offered to help arrange a session between public health experts and your members to discuss some of this evidence if you feel that would be helpful.

In contrast to the position when the programme was first introduced, the population currently has much stronger protection against COVID-19 than at any other point in the pandemic, due to the vaccination programme and the development of natural immunity to the infection. Severe health outcomes are now far less likely to arise due to this protection, availability of and access to antiviral treatments, and increased scientific and public understanding about how to manage risk.

From 18<sup>th</sup> April, it will still be possible for local health protection teams to opt to make use of asymptomatic testing in outbreak management situations in schools/settings, if their expert judgement is that it is appropriate to do so. Schools can also continue to distribute test kits to staff and secondary pupils as usual until the end of this term.

Regarding the updated schools guidance more generally, as you know our approach is based upon the expert advice of the Advisory Subgroup on Education and Children's Issues. There are a number of mitigations that will remain in place, including:

- children, young people and staff should stay at home and self-isolate if they:
  - have symptoms of COVID-19, whether they feel unwell or not
  - have tested positive, even if asymptomatic
  - are required to self-isolate for any other reason e.g. travel-related reasons
  - are identified as a close contact and are over 18 years and 4 months and are not fully vaccinated
- good hand hygiene and surface cleaning in ELC and school environments and on dedicated school transport
- an ongoing focus on the importance of good ventilation and the potential for CO2 monitors to be utilised to ensure good air quality in enclosed spaces, with the goal that all school buildings, including all learning and teaching spaces, and ELC settings should be assessed regularly for ventilation issues with a view to remedial action being taken where required.
- the requirements for face coverings for staff and young people in secondary schools, for staff in primary schools, and staff in ELC should be in line with the general guidance for safety in the workplace.
- physical distancing will not be required among learners. Staff in all settings should follow the general guidance for safety in the workplace.
- requirement to wear face coverings on dedicated school transport in line with the position on public transport
- ongoing need for outbreak management capability, including active surveillance
- assessments on the use of PPE should continue to be undertaken for those who work in close contact with children and young people

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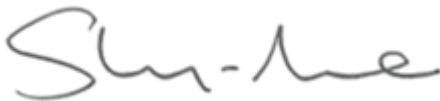


- asymptomatic testing for children and young people in secondary schools and for school and ELC staff should be in line with the wider testing transition plan

I would argue that linking some of these measures to other workplaces is entirely proportionate and consistent – the entertainment venues you mention may be optional for consumers, but they are also places of employment for other parts of our workforce. We need to ensure that we are treating each sector in a fair and equitable manner.

As we have done over the course of the pandemic, we will continue to seek - and act upon - any feedback on the impact of government policies in schools. It is essential, and important to me, that the excellent communication and shared commitment to partnership working continues to benefit the learning and teaching environment.

Yours sincerely



**SHIRLEY-ANNE SOMERVILLE**

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