

Aberlour's response to the Scottish Government's consultation Empowering Schools: A Consultation on the Provisions of the Education (Scotland) Bill

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Introduction

As Scotland's largest, solely Scottish Children's charity, Aberlour will always look to support any policy development which aims to improve the educational outcomes of Scotland's most disadvantaged and vulnerable children and young people. The Scottish Government's planned reforms to Scotland's education system, including the provisions contained within the Education (Scotland) Bill, to promote excellence and equity for all, indicate a desire to see potentially radical changes to the way in which decisions are made in schools. We understand and support the Scottish Government's motivation to see such changes within education which aim, in part, to "***close the unacceptable gap in attainment between our least and most disadvantaged children and to raise attainment for all***". We do agree that by promoting and supporting greater headteacher and school autonomy, as well as greater participation of pupils, parents and communities, this can help to create a culture and environment within Scotland's education system which will help all children and young people to reach their potential.

Working in over 40 locations across Scotland, we provide services which support vulnerable children, young people and families across a range of settings and contexts. These children, young people and families often experience vulnerability and multiple challenges on a daily basis as a result of being in care, facing issues around dependency, being exposed to inequality and disadvantage, or having complex additional support needs and disabilities. Every day we see the impact such challenges have on children and young people's capacity to positively engage with their education and to achieve in school, and we aim to support children, young people and families in whatever way we can to mitigate the worst effects of the challenges they experience. Therefore, we believe that if the provisions contained within the Education (Scotland) Bill are intended to ensure all children and young people can achieve their potential, then they must also provide for schools to be supported and empowered to understand and meet the individual needs of all pupils in ways which promote and support their capacity to fulfil that potential.

Aberlour has chosen not to respond to this consultation paper in full, but instead has commented on the identified themes within the paper which are relevant to the work we do and the children, young people and families whom we support.

We agree that “**parents are the main educators in their children’s lives, particularly in the very early years**”, and therefore support the intention to include provisions within the Bill that aim to improve or increase the engagement of parents more widely. It is our opinion that the proposed amendments to the Scottish Schools (Parental Involvement) Act 2006¹, intended to strengthen parental engagement, may go some way to encouraging and supporting greater participation amongst those parents who previously have had less involvement with their child’s education. It is also to be welcomed that the definition of parental engagement will be broader, so as to capture the variety of ways in which parents can participate in their child’s learning and/or contribute to activities within schools away from the more formalised arrangements of parent councils. Nonetheless, we believe that those measures proposed which are designed to support improved engagement of parents may in fact simply result in already engaged parents continuing to be involved in school activities in alternative or additional ways. Therefore, any provisions within the Bill intended to promote greater parental engagement need to clarify how efforts will be supported which aim to increase and broaden the overall number of parents who participate, either in their child’s learning or in school activities, including – but not limited to – those around school policy, improvement planning and curricula design.

It is our experience with families we work with that parental attitudes towards school and education are often reflective of parents’ own school experiences, which can be a significant barrier to parental engagement if those experiences were unfulfilling or detrimental. We believe that overcoming negative parental attitudes to school and education is fundamental if any provision within the Bill is to successfully realise its intention of supporting more and better engagement of all parents. Often, we encounter parents who are affected by adverse childhood experiences (ACEs)², and resultantly these parents continue to suffer the impact of trauma which can be a significant barrier to engaging with their child’s education. It is unclear from the consultation paper how the provisions within the Bill relating to parental engagement will support greater engagement of otherwise “disengaged” parents, other than the proposal to introduce a “**home to school link worker in every school**”. Given attitudes and perceptions of schools by some parents, link workers could risk being perceived as enforcing unwanted intrusion by schools into family life. In our experience, effective and positive engagement with parents in such circumstances will require parents’ needs to be understood and supported. We believe there needs to be consideration of alternative measures within the Bill for how schools can support positive engagement of those parents beyond link workers, particularly where there is a need for trauma-informed support by trained practitioners. We believe there is a role for the third sector in achieving that.

The consultation paper proposes provisions which will promote parental *and* community engagement, however there is no additional reference to what that wider community engagement will look like, nor any proposal for provisions within the Bill to ensure schools work in partnership with other community-based agencies or organisations to promote parental engagement. The third sector in particular currently provides substantial community-based services and support throughout Scotland,

¹ <https://www.legislation.gov.uk/asp/2006/8/contents>

² https://www.scotphn.net/wp-content/uploads/2016/06/2016_05_26-ACE-Report-Final-AF.pdf

which aim to address those wider environmental factors which are well evidenced as impacting upon children and young people's educational attainment³. We believe the skills, knowledge and experience of the third sector in providing such support can be invaluable in supporting schools to realise the Scottish Government's ambition of successfully arresting the current decline in educational performance of pupils from our most disadvantaged communities. It is our opinion that working in partnership with the third sector is key to supporting parental engagement amongst families who are in receipt of additional services or support from the third sector, as often it is parents in such circumstances who encounter barriers preventing them from engaging with their child's education. We believe it would be advantageous to both schools and families if the provisions within the Bill recognise that developing positive relationships with those parents is central to promoting engagement with their child's education. Through working in partnership with the third sector and utilising the skills, capacity and experience of services and practitioners already engaged with families to support more positive parental engagement, this can ultimately support the stated intention of the Bill to improve and increase the participation of all parents in their child's education. We believe the existing relationships third sector organisations, services and practitioners have with individual families could, in many circumstances, support and encourage the development of positive relationships between those families and their child's school, in turn supporting better engagement of those parents more generally.

The Scottish Government has committed to providing additional funding for schools across the country through the Pupil Equity Fund (PEF) to improve the educational attainment of children and young people⁴. We have seen as a result an encouraging level of joint working and partnerships being developed locally between schools and third sector organisations, delivering services and support, either in schools directly or within the local community, designed to address issues around health and wellbeing of pupils and ultimately to improve attainment. Resultantly, there is significant support being provided by the third sector through PEF, and therefore we believe any provisions within the Bill should look to reinforce and further embed this community focused approach recognising the skills, capacity and experience which the sector can bring to improving attainment through the provision of community-based services and support. Indeed, the PEF National Operational Guidance⁵ recognises the importance of partnership working and the role of the third sector in providing youth work and family support, and the contribution this can make to achieving positive outcomes in relation to children and young people's attainment. Therefore, we are disappointed that there is no reference or acknowledgment of the third sector regarding parental and community engagement within the consultation paper.

As already highlighted, we fully agree that parents are the main educators of their children, particularly during the early years, and therefore we believe that any provision within the Bill which aims to promote parental engagement at the earliest stages of a child's education is to be welcomed. We believe that it is essential to ensure that parents of pre-school age children are involved in the planning, development and decision making within their child's early learning and childcare (ELC) setting. Parents are key stakeholders within ELC and they should be regarded as equal partners

³ <https://www.jrf.org.uk/report/closing-attainment-gap-scottish-education>

⁴ <http://www.gov.scot/Resource/0051/00517052.pdf>

⁵ <http://www.gov.scot/Resource/0051/00516300.pdf>

alongside local authorities and other ELC providers. We believe such parental engagement and participation can be supported through the development of parent forums and consultation groups, as we have experience of facilitating for parents in our own family centres. It is our experience that supporting parental engagement opportunities, such as “stay and play”, at the earliest stage of their child’s learning journey can increase the likelihood of continued parental involvement throughout their child’s education. In addition, we believe that consideration must also be given as to how best to engage with parents of eligible 2-year-olds in ELC settings, as it is the experiences of those parents who most often encounter barriers to positive engagement which will help to identify the ways in which such barriers can be overcome.

Pupil Participation

We welcome that this Bill intends to embed a participative approach to pupil engagement through the introduction of key participation principles, which all schools will have to pursue. We believe that supporting the meaningful participation of children and young people in all aspects of their lives is key to developing confident and empowered children and young people who can make informed decisions and positive choices about their lives, and this should be as applicable to their experience of learning and education. Aberlour proudly supports such a participative approach to delivering the care and support that children, young people and families we work with receive, which also informs service and organisational development and policy and strategic priorities. We see the value at every level of our organisation of such a participative way of working with children, young people and families, and how meaningful participation through co-production can promote and empower children and young people to take the lead and develop a sense of ownership over whatever activities they are involved in.

Whatever form participation takes in individual schools, we feel it is necessary to ensure that provisions within the Bill set out that this must be supported and promoted in a children’s rights-based approach. We foresee there is a risk that if the Bill simply provides for schools and headteachers to support pupil participation, then without further clear direction as to what this should involve it risks simply ensuring tokenistic participation without any meaningful engagement of pupils. We are pleased that the Bill intends to introduce a general duty on headteachers **“to promote and support pupil participation in specific aspects of education and school life”** accompanied by the key principles of **“collaboration and dialogue, authenticity and inclusion”**. Whilst we believe these are sound principles, it would also be worthwhile for the provisions within the Bill to consider where a children’s rights-based approach to participation has been evidenced to work well. Both the Children and Young People’s Commissioner for Scotland’s *“7 Golden Rules for Participation”*⁶ and Children in Scotland’s *“The participation and engagement of children and young people: Our principles and guidelines”*⁷ are examples of excellent guidance on supporting a children’s rights approach to participation, which develops further those outlined principles proposed in the consultation paper. We believe any participation principles outlined within the Bill should therefore ensure: pupils are included in coordination and design of activities; the inclusion of all pupils; a child rights focus; expectations and the purpose of activities are clear; an understanding that all contributions are valid; effective, clear

⁶ <https://www.cypcs.org.uk/education/golden-rules/read-me>

⁷ <https://childreninscotland.org.uk/wp-content/uploads/2017/11/Principles-and-Guidelines-FINAL.pdf>

and accurate communication with those involved; feeding back and keeping in touch with all who participate to let them know what their input has achieved.

We believe that simply convening pupils' groups which mirror the formalised structures of those which represent teachers, school staff and parents (such as parent councils or school boards) is unlikely to encourage less confident or less engaged pupils to contribute to or participate in school life. Therefore, we welcome that the Bill will not impose how such participative structures should be determined, providing instead for individual schools to decide how best this can be done. However, we also believe that this duty should not provide that schools and headteachers decide unilaterally what method of participation is best for their individual school, but that this should in the first instance be determined by the headteacher through consultation and engagement with pupils, in accordance with the outlined participation principles.

Whilst we are encouraged by the participative approach outlined within the consultation paper, as an organisation that supports often marginalised children and young people with additional needs and disabilities, we are uncertain how this Bill will support and promote the meaningful participation of this group within the wider pupil population. We know there exist significant challenges as to how schools support and promote inclusion of children and young people with additional needs and disabilities within mainstream education generally, and we believe ensuring equitable participation in wider school activities will present further challenges for schools. Similarly, the experience of education for looked after children is one that is often beset by additional challenges and barriers to educational attainment. In our experience, many of those children and young people miss out on school both as a result of their own patterns of absence and through exclusion. We have seen behaviour support resources being reduced across the country which further reduces the likelihood of supporting the needs of looked after children and young people in mainstream settings. We accept mainstream schooling is best for children but where this may not be the best option there must be robust alternatives. This will require further consideration as to how the participation of this group of children and young people in their own education will be meaningfully supported and promoted in whatever educational setting they are in. We would welcome more information from the Scottish Government on how the Bill intends to address this. Indeed, we believe this Bill presents an opportunity to bring together other policy developments which are designed to support and promote the education of children and young people with additional needs, such as the Learning Provision for Children and Young People with Complex Additional Support Needs: 10 Year Strategy 2017-2026⁸. In addition, we would propose that this Bill also considers any findings and recommendations by the Independent Care Review in relation to the education of looked after and care experienced children and young people, and what schools will have to do to support and promote their participation in all aspects of their learning and education.

Education Workforce Council for Scotland

Aberlour broadly welcomes the proposal to introduce an Education Workforce Council for Scotland, with the intention of ***“supporting and enhancing the professionalism of those involved directly and***

⁸ <https://beta.gov.scot/publications/scotlands-ten-year-strategy-learning-provision-children-young-peoplecomplex/>

indirectly in learning and teaching, support Scottish education to be world leading in the delivery of high quality outcomes for all learners". We believe to achieve this it is essential to recognise the contribution of all professionals and practitioners involved in the learning and education of all Scotland's children and young people, from the earliest stages of that learning journey.

Aberlour has previously expressed our desire that early years practitioners and those involved in additional and community learning should be acknowledged and recognised as professionals⁹. We agree with the aim of ***"setting of professional standards and values"*** in order to ***"support and enhance levels of professionalism, professional identity and professional practice while bringing cohesion to the Scottish education system"***. Specifically, in relation to early years practitioners, we believe their role is as significant as that of any other professional involved in the learning and education of children, supporting pre-school children to develop the building blocks of learning which will provide a foundation for their future education as they move through their early-learner journey. In our opinion it is necessary that early years practitioners are understood to be qualified and trained professionals whose role as educators is as valid and important as others within the education sector, in the development and learning journey of Scotland's children. We believe that mandatory registration and membership of a single professional body, such as the Education Workforce Council for Scotland, would help to reinforce the professional status of early years practitioners as well as other educational practitioners.

We believe the proposals set out in the Education (Scotland) Bill can, in part, support the Scottish Government's overall ambition of creating an education system which aspires to excellence and equity for all children and young people. However, we feel that more detail is required outlining how this Bill intends to realise its stated ambition, particularly in relation to promoting engagement of all parents and supporting active participation of children and young people who have additional learning or support needs. Nevertheless, this Bill alone will not address those wider environmental factors that impact upon the educational outcomes of marginalised and vulnerable groups of children and young people, or where poor attainment is the consequence of poverty, inequality and disadvantage. This will require greater coordinated efforts across government departments and the development of shared policy approaches if we are to address the fundamental causes of the poverty related attainment gap.

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⁹ <https://d1ssu070pg2v9i.cloudfront.net/pex/aberlour/2017/08/31155604/Learning-Provision-for-CYP-withComplex-ASN-Consultation.pdf>