



Empowering Schools A Consultation on the provisions of the Education (Scotland) Bill

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
 Do not publish response

Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

Response to Empowering Schools: A consultation on the provisions of the Education (Scotland) Bill

Submission from the Scottish Youth Parliament

January 2018



Introduction

The Scottish Youth Parliament represents Scotland's young people. Our vision for Scotland is of a nation that actively listens to and values the meaningful participation of its children and young people. Our goal is to make this vision a reality, in order to ensure Scotland is the best place in the world to grow up.

Our democratically elected members listen to and recognise the issues that are most important to young people, ensuring that their voices are heard by decision-makers. We exist to provide a national platform for young people to discuss the issues that are important to them, and campaign to effect the change they wish to see.

SYP's Values are:

Democracy - We are youth-led and accountable to young people aged 12 to 25. Our democratic structure, and the scale of our engagement across Scotland, gives us a mandate that sets us apart from other organisations.

Rights - We are a fundamentally rights-based organisation. We are passionate about making young people aware of their rights, and ensuring that local and national government deliver policies that allow those rights to be upheld.

Inclusion - We are committed to being truly inclusive and work tirelessly to ensure the voices of every young person from every community and background in Scotland are heard.

Political Impartiality - We are independent from all political parties. By working with all stakeholders, groups, and individuals who share our values, we can deliver the policies that are most important to young people.

Our approach

SYP welcomes the opportunity to respond to the 'Empowering Schools' Consultation on the provisions of the Education (Scotland) Bill (hereinafter referred to as 'the Bill'). Our members have shown great interest in this policy development, for example:

- Our Conveners Trustee, Jack Dudgeon MSYP for Eastwood, contributed the following question to Government at a COSLA meeting in August in respect of the Education Governance Review (September 2016 - January 2017): 'Where is the voice of young people in all of this?'
- Amy Lee Fraioli MSYP and Thomas McEachan MSYP spoke at an event at a COSLA in October 2017 with education leaders. They presented on young people's rights and a human rights based approach to local decision-making on education.
- Mark Stewart MSYP for Cumbernauld and Kilsyth, Convener of SYP's Education and Lifelong Learning Committee, participated in the Government's Children and Young People's Participation Working Group in respect of the Bill. In relation to the Government's commitment to 'strengthen the voice of children and young people by supporting all schools to promote and support pupil participation. As part of this we will consult on a requirement that every school pursues the key principles of pupil participation'; Mark called for more pupil participation in education and

suggested the following principles in addition to those already considered by Government: ‘influence, transparency, accountability, youth-led and collaborative’. He also called for a human rights based approach to education policy-making, which we will present below.

- Catherine Mackie MSYP for Glasgow Southside and Member of the Education and Lifelong Learning Committee attended a COSLA Policy Forum on Education Reform.
- MSYPs attended an external Scottish Parliament Education and Skills Committee meeting in Glasgow in January 2018, and are planning on attending another meeting in Peterhead.

SYP’s Conveners Group decided to respond to this public consultation at their last meeting in January 2018 as part of the *Right Here, Right Now* national campaign on young people’s rights, which launched in October 2017 after MSYPs voted to focus on this topic at the 63rd National Sitting in West Dunbartonshire in June 2017. This was following consultation with over 5,000 young people across Scotland.

Right Here, Right Now will work to ensure that Scotland’s young people are aware of and understand their own rights, and are empowered to take action to defend their own rights and those of others.

Furthermore, *Right Here, Right Now* calls for Scotland’s decision-makers to take a human rights-based approach to all policy-making, service provision, and planning, ensuring young people’s voices are at the heart of decisions affecting them.

The objectives of our campaign which link best to the provisions of this Bill are:

- To influence law, policy, and practice in order to strengthen the protection of young people’s rights.
- To promote young people’s rights, and empower individuals to defend their own rights and those of others.

These objectives fall under the Advocacy and Awareness themes to our campaign.¹

Unfortunately, given the timescales of the consultation and SYP’s capacity, it was not possible to consult the membership on this particular consultation fully, in order to properly respond to the detailed questions in the Respondent Information Form. Nevertheless, this response will cover the general issues raised by the Bill, in particular: pupil participation, the attainment gap, the Regional Improvement Collaboratives, fair funding and young people’s rights more generally within the framework of the Getting It Right For Every Child strategy (GIRFEC) national approach in Scotland. The response is based on our campaigning for *Right Here, Right Now*, as well as official [SYP Policy](#) which comes from the collective voice of Scotland’s young people.

For more information on the demographic of SYP’s current membership, please see [here](#). Our members represent all 32 Local Authorities across Scotland as well as 11 National Voluntary Organisations, and therefore, we have a unique democratic mandate to create SYP Policy and influence change. In this light, this response is fundamentally shaped by the genuine views of young people. It should be noted that, however, as our membership represents young people aged 12-25, SYP’s response is not representative of children below the age of 12.

¹ For more information on SYP’s *Right Here, Right Now* campaign, please see [here](#).

A human rights based approach to education policy-making

We are a fundamentally rights-based organisation, and our mission, vision, and values are grounded in the United Nations Convention on the Rights of the Child (UNCRC). In particular, our purpose embodies Article 12: that young people have the right to express their views freely and have their opinions listened to in all matters affecting them. As a completely youth-led organisation, the words and sentiment of Article 12 have profound importance for our work.

Through *Right Here, Right Now*, we further advocate a **human rights based approach** to education policy-making which follows the UNCRC Guiding Principles (participation, best interests of the child, non-discrimination, and the right to survival and development) and the PANEL principles: Participation, Accountability, Non-Discrimination, Empowerment, and Legality.

In line with the human rights based approach, all young people should be aware about and empowered to exercise their right to participate in decisions which affect their right to education enshrined in the UNCRC, without discrimination, and teachers would be responsible to ensure this participation and the right to effective education in line with GIRFEC, which is based on the UNCRC. We therefore welcome the stated intent in the Education Bill which proposes to ensure that **the principles of pupil participation** are pursued in every school.

This aim could be further achieved by embedding empowering human rights education into education policy which, in turn, could ensure young people's participation in decision-making about their education.

In relation to the statement: 'it is for headteachers as leaders of learning in each school to choose the right model of participation for their learners', SYP believes that young people must be involved and their views taken into account in this decision regarding the model of participation, and any model must ensure that young people's UNCRC rights are being respected, protected and fulfilled.

Young people should also be involved in **the Regional Improvement Collaboratives** if and when these are established. For example, there could be an MSYP involved either per Local Authority, or per Region. Another option would be to have the Collaboratives echoed or mirrored at a youth level, and their findings could be fed into the Regional Improvement Collaboratives.

For the pupil participation referred to in this Bill to be meaningful and not tokenistic in practice, young people's voices need to be actually listened to, recommendations carried out and followed up with the young people who contributed. For more information about participation, please contact SYP.

Relevant SYP Policy to the Education (Scotland) Bill

Participation

Each local authority education committee should include pupil representatives as expert advisers. (Manifesto commitment from Change the Picture, 74% agreement, October 2010, extended by Conveners Group in April 2017).

All young people should be involved in the services which affect them and should have the opportunity to get involved in local decision making opportunities. (Manifesto commitment from Change the Picture, 80% agreement, October 2010, extended by Conveners Group in April 2017).

Attainment gap and poverty

The educational attainment gap needs to be narrowed. To support this, the impact of poverty on pupils and students should be minimised, financial barriers to participation should be removed, and the cost of the school day should be addressed. (Manifesto commitment, 69%, March 2016).

(Please see [SYP's Policy Log](#) for more policy on education to influence schools' curricula).

Rights

The United Nations Convention on the Rights of the Child (UNCRC) should be fully incorporated into Scots Law, and the rights of children and young people should be protected and promoted. (Manifesto commitment from Lead the Way, 76% agreement, March 2016).

Substantial additional efforts need to be made to ensure that all of Scotland's young people have a good understanding of their rights as set out in the UNCRC. (SYP recommendation to a 2012 consultation on the Children and Young People Bill, extended by the Conveners Group in August 2016).

Fair funding

The Scottish Youth Parliament believes that local authorities should be funded on the basis of need; so as to allow high quality and sustainable public services to be provided to all young people. SYP calls on the Scottish Government to review the way that local authorities are currently funded to ensure it is as fair and equitable as possible. (Policy statement, 62% agreement, October 2017, Members' Motion by Keiran O'Neill MSYP and Aaran McDonald MSYP).

Conclusion

SYP's response to the Bill shows general support for the provisions relating to strengthened engagement with young people in schools, and provisions to ensure young people have a stronger voice in schools. We call for a human rights based approach to this policy, where young people should be aware about and empowered to exercise their right to meaningfully participate in decisions which affect their right to education enshrined in the UNCRC, without discrimination, and teachers are responsible to ensure this participation and the right to effective education in line with GIRFEC, which is based on the UNCRC.

Through our *Right Here, Right Now* campaign call for the promotion of young people's rights, and empowerment of individuals to defend their own rights and those of others; we agree that the Scottish Government should assist young people to 'understand and exercise their rights regardless of age, gender, ethnicity and background, and help them contribute in all kinds of decision-making both locally and through linking to the wider community.' This aligns with SYP's purpose to further Article 12 UNCRC. More efforts to ensure well-resourced, comprehensive and empowering human rights education is pursued in schools across Scotland is essential to achieving the aim of effective pupil participation. This would ensure Scotland really is the best place in the world in which to grow up and learn.

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