



# Response to Education Reform: A Consultation on the provisions of the Education Bill

Scottish Youth Parliament  
December 2023

## Summary of our recommendations

- Recommendation 1: The new qualification system must be adaptable to meet the needs of the individual learner. This includes recognising achievement in different forms.
- Recommendation 2: The new body should use this and other rights-based materials to develop participation practices and a culture of valuing the views of children and young people.
- Recommendation 3: The new qualifications body should consider how it will reach seldom-heard groups of young people as a priority in its engagement as highlighted as critical throughout the reports developed as part of The Right Way project by SYP. This will require resource to ensure it is meaningful and not tokenistic.
- Recommendation 4: The new qualifications body should clearly outline and plan feedback to young people who choose to feed their views into the inspectorate to ensure accountability.
- Recommendation 5: A clear commitment should be made early on by the new qualifications body to take the views of young people seriously and give them influence in accordance with due weight outlined in Article 12 of the UNCRC.

## Who We Are

The Scottish Youth Parliament - [www.syp.org.uk](http://www.syp.org.uk)

The United Nations Convention on the Rights of the Child (UNCRC) is the basis for the Scottish Youth Parliament's (SYP's) vision, mission and values. In particular, SYP embodies Article 12 of the UNCRC, which states 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 charity, the words and sentiment of Article 12 have profound importance for our work.

### **Our Vision**

The Scottish Youth Parliament (SYP) is the democratic voice of Scotland's young people. Our vision for Scotland is of a nation that actively listens to and values the meaningful participation of its young people. Our goal is to make this vision a reality, in order to ensure young people in Scotland grow up loved, safe and respected, and able to realise their full potential.

### **Our Mission**

SYP is a rights-based charity, with members supported by all of Scotland's 32 local authorities and 11 National Voluntary Organisations. SYP's mission is to provide a national platform for young people to discuss the issues that are important to them, and campaign for changes to the nation that they live in. We support our members in their work by training them, supporting their personal development, and empowering them, using a youth work ethos. Our democratically elected members listen to and recognise the issues that are most important to young people in every community across the country and ensure that decision-makers listen to their voices.

### **Our Values:**

**Democracy** - We are youth-led and accountable to young people aged 14 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 rights-based organisation. We are passionate about making young people aware of their rights and ensuring that local and national governments uphold their rights.

**Inclusion and Diversity** - We are committed to being truly inclusive and work tirelessly to ensure policymakers and politicians hear the voices of young people from every community and background in Scotland.

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

## **Our Approach**

As a youth-led organisation, we are constantly seeking the views of our MSYPs and other young people to ensure our policy positions represent their views as clearly as possible. This means that we have numerous opportunities to collect qualitative and quantitative data on a variety of issues underneath the umbrella of education. To ensure our response can accurately reflect the views of our members and the young people they represent, we pulled our information from various sources. These included:



## **Focus Groups**

To help respond to the consultation SYP held a focus group with MSYPs who had led SYP's work on education. The focus group took place online in early December and six MSYPs attended. The group focused on highlighting previous work from MSYPs on education, many of which have been emphasised in our response.

## **Previous responses and consultations**

Young people have previously shared their views with SYP on the changes they would like to see from education reform. In our response we reference a number of previous responses and reports produced by SYP and our partners. These include:

- "Education Times" - SYP's Education Magazine. October 2023
- National Discussion on Education - Scottish Youth Parliament Response. December 2022
- Education Reform: Consulting with children and young people. Report produced by Together: Scottish Alliance for Children's Rights, Children's Parliament, and SYP. December 2021.
- Other consultation workshops and responses.

## **SYP's 2021-2026 Manifesto**

The calls in SYP's 2021-2026 Manifesto (available here) came directly from young people aged 12-25 across Scotland. The consultation was led by MSYPs and supported by the staff team. Due to the innovative and multifaceted approach we took to this manifesto, we do not have the exact number of young people engaged throughout this process. However, we estimate this to be around 10,000.

## **SYP Policy passed as a Members' Motion**

At SYP Sittings, the membership gets together and MSYPs have the opportunity to propose Member Motions that will become SYP policy statements. To submit a motion, they will have consulted with young people in their constituencies to demonstrate it is an issue important to young people. At the Sitting, the membership then votes on whether the motion should pass, again based on consultation of the proposed Motions with their constituents. By way of example, at the last SYP Sitting, SYP79 in July 2023, nearly 5000 young people were consulted before MSYPs voted on Members' Motions.

## **The Right Way project**

In April 2022, The Right Way project group of Members of the Scottish Youth Parliament (MSYPs) selected three policy areas of the Scottish Government to research how they can best practice the meaningful participation of young people in their work. They were Violence Against Women and Girls (VAWG), Scottish Education Exchange Programme, and Gambling & gambling related harms.

After selecting these policy areas, MSYPs interviewed officials that work in that area. The purpose was to identify the specific participation challenges that the policy area will have to overcome to practice meaningful participation. The research questions were then drafted using the information from the interviews. MSYPs then worked with SYP staff to create three surveys, which received around 300 responses from young people, and to run five focus groups, with young people



with experience of participation work. The results were then analysed and summarised by MSYPs into recommendations included in reports. We reference these recommendations in our response below.

### **SYP Campaign Priorities**

In March 2022 MSYPs consulted their constituents before voting for four National Campaign Priorities for the rest of their term (until November 2023). For each priority, MSYPs have worked with SYP staff to deliver a number of campaign activities which have included consultation with young people and awareness raising of the issues relating to our work.

In our response we specifically refer to our Campaign Priorities on Education Attainment, for which MSYPs developed a magazine in October 2023 to highlight SYP's work across education decision-making.

### **SYP Programmes**

SYP delivers several programmes and participation projects with partners to ensure young people's views are heard in decision-making in education. MSYPs who have taken part in these programmes fed into our response, highlighting what they have learnt and the views of young people they spoke to as part of them. These include:

- Learner panel and Advisory group projects with the Scottish Qualifications Authority.
- Independent Review of Qualifications and Assessment - young people's engagement.

### **MSYPs on strategic groups**

In recent years MSYPs have had the opportunity to represent the views of young people on groups with decision-makers in Scottish education. MSYPs who have been members of these groups have fed into this response by sharing their experiences of participation in education decision-making in Scotland. MSYPs have sat on groups or contributed to one-off events, including:

- National Qualifications Group
- Scottish Education Council
- Anti-Racism in Education Programme Board and Curriculum Reform subgroup
- Gender Equality in Education
- Scottish Government's Behaviour and Relationships in Schools summits.

## Responses to the consultation questions

**Question 1: What changes should we consider in terms of how qualifications are developed and delivered that you think would improve outcomes for Scotland's pupils and students?**

SYP agree with the conclusion of the Independent Review of Qualifications and Assessment by Professor Louise Hayward, that there is a convincing case that the current system of qualification report and assessment in Scotland needs to change. Young people have reflected to SYP throughout the current system of qualification does not uphold their right to an education that develops their talents and abilities to the full, does not teach them skills for life, and causes stress and poor mental health for many young people taking part. That final point was also reflected in the UN Committee on the Rights of the Child's concluding observations to the UK State Party (including Scottish Government) to:

*“End practices, including academic selection and testing measures, that contribute to the high levels of stress felt by students owing to academic pressure and ensure that children benefit from a creative learning environment.”*

In further evidence for the need for change, in a 2021 report co-created by Together: Scotland's Alliance for Children's Rights, SYP, and Children's Parliament's, “Education Reform Consulting with children and young people” respondents aged 12-18 were given the statement *“I would prefer more continuous assessment by my teachers with less focus on end of year exams”*. Of the 3,854 respondents a majority agreed or strongly agreed (54%) with only 16% disagreeing or strongly disagreeing with the statement. One young person said:

*“I would prefer more continuous assessment from my teachers because I get more opportunities to improve and see how good I am. Let's say I have a bad day and I don't do well with the continuous tests, I will get a chance to improve and do better.”*

This was also reflected by MSYPs involved in the Independent Review Group. Ruby Cardie MSYP wrote in SYP's Education Magazine *“Examinations are one important way of gathering evidence, however, we know the current system has too many examination points.”*

Due to the short nature of this consultation period, we have not been able to engage with young people specifically on the changes they would like to see in the qualification system, however there are a number of principles from previous consultation with young people that to highlight:

- The new qualification system must be adaptable to meet the needs of the individual learner. This includes recognising achievement in different forms.
- It must support young people to thrive in the modern world, in line with Article 29 of the UNCRC, not just prepare them to pass exams.
- It must support young people to have good mental health and positive relationships with learning, and not contribute to poor mental health.



- It must have the meaningful participation of young people in decision-making embedded throughout and continuously improve based on feedback from young people.

**Key recommendation 1: The new qualification system must be adaptable to meet the needs of the individual learner. This includes recognising achievement in different forms.**

**Question 2: How best can we ensure that the views of our teaching professionals are taken into account appropriately within the new qualifications body, and do these proposals enable this?**

N/A

**Question 3: How best can we ensure that the views of pupils, students and other learners are appropriately represented within the new qualifications body, and do these proposals enable this?**

To develop an education system that listens to and values the views of its learners, Scottish education requires a culture change around respecting, protecting, and fulfilling children and young people's rights. Young people are clear with SYP that this culture, in the main, does not currently exist in decision-making in Scottish education. It is essential that this changes for the new qualifications body and beyond. Education reform presents an opportunity for the new body to set examples of participation that are replicated throughout the education system.

So, while SYP supports the proposal to revise the structure of the proposed Qualifications Scotland body to ensure it is accountable to learners, there are a number of other changes required to achieve that aim that go much further than the structure of the body.

First and foremost, Article 12 of the UNCRC should be the basis of the meaningful participation of children and young people in decision-making. The UN Committee on the Rights of the Child in their Concluding Observations published in June 2023 (which while aimed at the UK State Party, many of them apply to Scotland as well) noted with concern *“that children’s views are not systematically taken into account in decisions affecting them and in national and local decision-making, and underscoring the importance of the availability of age-appropriate information to facilitate child participation.”* And recommended that the State Party:

*“Strengthen measures to promote the meaningful participation of children in family, community and school settings and in policymaking at the local and national levels, including on so-called reserved matters, and develop mechanisms to ensure that the outcomes of children’s and youth parliaments are systematically fed into public decision-making.”*

Specifically on Scottish Education, this is supported by evidence from Together: Scotland’s Alliance for Children’s Rights, SYP, and Children’s Parliament’s report, “Education Reform Consulting with children and young people” in 2021 where





members of SYP's Learner Panel programme unanimously, disagreed with the statement, *"I am involved in making decisions about my learning."* They commented that their educational experience was happening to them and not with them, with little sense or experience of autonomy. Whilst acknowledging all schools are different, Panel members often felt unsupported when they sought to make changes to their experience of being in school, they did not feel their views were taken account of.

This sentiment is echoed by MSYPs who have taken on voluntary roles in education decision-making where they report feeling positive about being invited into decision-making spaces, but that their views are often not taken seriously.

One MSYP who has spent the past year as a member of a national education decision-making group said:

*"It's always really nice to be invited into these spaces, as that's the first step to meaningful participation. However, it is often tokenistic and clear that our views aren't being properly listened to and considered. That can be really detrimental to the work going on in these spaces, as we need an education system which will work for young people and students, otherwise we will be in this same position in 10 years, reforming everything all over again. Decision makers in this space should have a more proactive approach in engaging with young people by better understanding the UNCRC and feeding back to us where our views are creating influence."*

Another MSYP who has spent contributed to a national education decision-making group commented on the hope they have of a culture change where adults in these spaces value the views of young people. They said:

*"I am so grateful to have had the opportunity to share my views and represent young people in education decision -making groups. However, including young people goes beyond setting up a meeting or consultation with them - it is about taking steps further to culture change for us to be more meaningful involved."*

*"Culture of change includes reaching out to young people from seldom heard groups, in an accessible and safe way. My experience hasn't been the best at times and i know other young people feel the same way, so let's make sure this changes for the future."*

Another MSYP reflected on the frustrations they have felt as part of a group they have sat on not respecting the practicalities of young people being in the room as volunteers. They said:

*"I have had the privilege of representing young people in a strategic education group for almost a year and in that time I have greatly valued the opportunity to be in that space. But whilst I am told how valued my contributions are, I have faced constant frustrations. Late issuing of papers, the continual use of unexplained complex acronyms and an ingrained opposition to change. My role in these spaces should be to challenge and encourage, but how can I do that when I received papers less than 24 hours in advance? I can't discuss with other MSYPs, I*



*can't drop my Uni assignments to conduct my own research and I certainly don't have time to consult young people.*

*“My hope moving forward is that more strategic groups start to use the AIM The Right Way resources, these are something SYP created for Scot Gov to use. To me good youth participation represents good participation generally. Practicing meaningful participation will not just make the contributions of young people more informed, it will allow all partners and stakeholders to feel more valued and included.”*

And finally, another young person reflected that things have improved but that this was a good opportunity to see changes in how young people are meaningfully engaged in education decision-making. They said:

*“When I have been involved in education spaces it has sometimes been difficult as the groups were at the start of the youth participation journey. This has meant at times the space has not been very accessible and it's been hard to fully engage in discussions. For meaningful involvement of young people generally, it's important that representatives are supported to consult with wider groups of young people so they can accurately reflect the views of their peers. I think it's important as well that having a young person on a strategic group is not the only engagement with young people taking place.*

*“However, I think that we have come a long way in the education space in terms of participation of young people and I am excited to see changes which mean young people can meaningfully influence decision making around education, as it is our right under the UNCRC to have our voices heard!”*

MSYPs in our focus group also disagreed with the premise in the consultation paper that *“There is a clear demand from pupils and students for greater involvement in the decisions that affect their education.”* While acknowledging this is true, MSYPs felt that this misunderstood that their meaningful participation goes further than an ask or demand, but is a right under Article 12 of the UNCRC. With a rights framing, they thought it would better support the need for meaningful participation to be understood as a requirement.

Practically, there are a number of things decision-makers, including Scottish Government and the new body, can do to contribute to the wider culture change required to realise the rights of children and young people in education.

- The Right Way hub - [www.therightway.scot](http://www.therightway.scot) - was designed by young people to be a guide to decision-makers to support them to practice the meaningful participation of young people in decision-making. It includes checklists on how to make participation accessible, inclusive, and meaningful; training on Article 12 and the Lundy model of participation; case studies of where participation has been done well; and FAQs on participation answered by young people from the project. The new body should use this and other rights-based materials to develop participation practices and a culture of valuing the views of children and young people.
- The new qualifications body should consider how it will reach seldom-heard groups of young people as a priority in its engagement as highlighted as





critical throughout the reports developed as part of The Right Way project by SYP. This will require resource to ensure it is meaningful and not tokenistic.

- Clear and planned feedback to young people who choose to feed their views into their work to ensure accountability.
- A clear commitment should be made early on by the new qualifications body to take the views of young people seriously and give them influence in accordance with due weight outlined in Article 12 of the UNCRC. One young person in our focus group said *“We CAN’T have a two-tiered framework of groups where other stakeholders are taken more seriously than young people. Young people have a right to an education which lets them reach their full potential.”*

Young people also acknowledged in our focus group that they understand a culture change will not happen overnight. But the new body is a unique opportunity to embed rights-based participation principles into decision-making in Scottish education.

**Key recommendation 2: The new body should use this and other rights-based materials to develop participation practices and a culture of valuing the views of children and young people.**

**Key recommendation 3: The new qualifications body should consider how it will reach seldom-heard groups of young people as a priority in its engagement. This will require resource to ensure it is meaningful and not tokenistic.**

**Key recommendation 4: The new qualifications body should clearly outline and plan feedback to young people who choose to feed their views into their work to ensure accountability.**

**Key recommendation 5: A clear commitment should be made early on by the new qualifications body to take the views of young people seriously and give them influence in accordance with due weight outlined in Article 12 of the UNCRC.**

**Question 4: How can we ensure qualifications being offered in Scotland are reliable, of a high standard and fit for purpose?**

SYP agree with the principle that qualifications need to be of a high standard but due to the short nature of the consultation period have not been able to engage widely on young people’s views on the question of where the accreditation function should sit or the specific responsibility of the new body.

Our focus group did discuss this question, where young people made clear some things that would have to be central to the new body to achieve this.

First, one young person said *“This body should aim to be as inclusive, diverse and accessible as possible to make sure young people feel included and represented in*



*a well manner.*” MSYPs in the group agreed that this was important if young people were to trust the reliability of the qualifications they were being offered.

Second, young people in the focus group agreed with one recommendation from the Independent Review into Qualifications and Assessment that qualifications should be reviewed regularly as well as reviewing the frequency of reviews. One young person said *“i like this double-edged structure”* and the group agreed this would help to ensure the body was held to a high standard.

Finally, qualifications must not be used to detract from the individual needs of the learner. One young person in our focus group said *“This new body cannot get tied up in the statistics and viewing young people are numbers. This leads to Schools being overly focussed on league tables and not on what is actually best for individual young people. These things aim to lessen the attainment gap but are actually making it worse.”*

**Question 5: How do you think the qualifications body can best work with others across the education and skills system to deliver better outcomes for all?**

SYP agree that the new body must be part of a wider holistic education and skills system. We would particularly highlight the principle in our response to the National Discussion consultation on youth work, which was highlighted to SYP as a key area where young people learn skills, develop personally, and have their rights upheld.

Alongside this Bill therefore, Scottish Government should consider how they can better value the role of youth work as part of a holistic education system.

**Question 6: Do you agree or disagree with the purposes set out? Is there anything in addition you would like to see included?**

Due to the short nature of the consultation period have not been able to engage widely on young people’s views on the purposes set out in the consultation document.

However young people in our focus group welcomed the inclusion of accountability and assurance to learners within the core purposes. They also urged the Scottish Government to consider early how this would happen, how they would particularly reach seldom-heard groups of learners, and ways they would challenge the potential power imbalances in taking forward meaningful engagement of young people in accountability of an inspectorate.

**Question 7: Do you agree or disagree with the range of establishments to be inspected by HM Inspectors of Education? Is there anything you would add or change?**

N/A



**Question 8: Do you have any specific comments on the role of the inspectorate of education in the inspection of publicly funded colleges, initial teacher education, early learning and childcare and / or modern apprenticeships?**

N/A

**Question 9: Do you agree or disagree with the priorities set out? Is there anything in addition that you would like to see inspection cover?**

Due to the short nature of the consultation period have not been able to engage widely on young people's views on the purposes set out in the consultation document.

However, members of our focus group welcomed the references to children and young people both having confidence in inspections and being involved in them.

**Question 10: Do you have a view on these options for establishing the new approach to inspection?**

MSYPs in our focus group said on the involvement of children and young people in inspections that they think Scottish Government should consider early how they will better involve young people in inspections than has been done previously. One young person said it is *"Important that young people's lived experience in schools is given high consideration."*

The same principles of meaningful participation outlined in our response to question 3 would apply to any young people's participation within an advisory council - simply having young people in the room would not equate to the meaningful participation of young people in decision-making. Scottish Government should consider in these plans how they will account for giving the views of young people due weight in decisions taken as part of the inspectorate function, regardless of which of the two options is taken forward. The principles and recommendations outlined in our response to question 3 also apply to this question.

**Question 11: Do you have a view on how governance arrangements for the inspectorate could be developed to better involve providers, including teachers and other practitioners, pupils and students and parents / carers in inspection?**

N/A

**Question 12: Do you have a view on how we make sure evidence from inspections is being used as fully as possible to drive improvement and inform policy and on who the inspectorate should report to?**

MSYPs in our focus group highlighted that young people regularly do not hear back about what changes have been made as a result of inspections. Coupling addressing this with ensuring that evidence from inspections highlights the experiences of children and young people, told in their own words, and framed around children

and young people's rights would help to ensure that inspection informs a culture of continuous improvement in Scottish education centred around the experiences of the children and young people in our education system.

