



Education (Scotland) Bill Call for Views

Scottish Youth Parliament response

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:

Consultation workshop

At the Scottish Youth Parliament National Sitting in June 2024, we held a workshop with a group of around 20 young people, led by two MSYPs, to gather the opinions of young people on the specific proposals of a learner's committee and learner's charter. During the session, MSYPs took part in creative and interactive activities to imagine what a successful and effective committee and charter would look like. Findings from the workshop were used to inform this response.

Scottish Youth Parliament policy

At SYP Sitings, 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 a recent SYP Sitting, SYP79 in July 2023, nearly 5000 young people were consulted before MSYPs voted on Members' Motions.

Scottish Youth Parliament manifesto

The policies 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.

Previous engagement on education including:

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:

- Focus groups and engagement with young people in developing SYP's response to the Scottish Government's consultation on the Education (Scotland) Bill. December 2023.
- "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.
- The independent Review into Qualifications and Assessment, SYP young people's engagement.

Our response

1. Several reports, including the OECD Review of the Curriculum for Excellence and Professor Ken Muir’s report “Putting Learners at the Centre. Towards a Future Vision for Scottish Education” have recommended reforming the current Scottish Qualifications Authority. How well do you think the Bill addresses the concerns raised in those reports?

Amongst the OECD review recommendations were:

- *“Simplify policies and institutions for clarity and coherence”* and
- *“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.”*

Building on this, the Ken Muir’s report “Putting Learners at the Centre. Towards a Future Vision for Scottish Education”, amongst other things, recommended:

- *“The Scottish Government should initiate a national discussion on establishing a compelling and consensual vision for the future of Scottish education that takes account of the points made in this report, in particular the importance of placing the learner at the centre of all decisions. The vision for Curriculum for Excellence (CfE) should be considered as part of this discussion as should consideration of how the education system seeks to address the purposes described in Article 29 of the United Nations Convention on the Rights of the Child (UNCRC).”*
- *“A new body, Qualifications Scotland, should be established.”*
- *“A new Inspectorate body should be established with its independence enshrined in legislation.”*

The Bill sets out helpful steps to address some of the recommendations outlined in the two reports. It, as called for by young people since the Covid-19 pandemic, reforms the SQA into a new body with more robust governance structures that has the potential to incorporate the views of young people into the governance and running of the organisation. It also establishes the inspectorate as recommended by Professor Muir, though our engagement with young people has focussed on qualifications and wider reform so we are not able to comment on the elements of the Bill that relate to the inspectorate in detail.

However, it does not address the issues highlighted in the senior phase in the OECD report or present a ‘compelling and consensual vision for the future of Scottish education’, taking into consideration Article 29 of the UNCRC as highlighted in the Muir report. These key areas have been further elaborated on by experts through the National Discussion and the Hayward

Review into Qualifications and Assessments. We understand that reform is a process, and many aspects of bold and compelling education reform do not require legislation and so do not need coverage in the Bill. However, for reform to meet the ambitions set out in the two reports, the Bill needs to be accompanied with significant policy to reform key elements of the education system. When discussing with young people in our workshop the elements they would like to see reformed which it is not clear how this Bill will address without further action included:

Exams and qualifications, moving away from a system of high stakes exams at the end of the year counting for everything. This should also include updates to the appeals system to take into account for example, exceptional circumstances.

To support this point which has been raised by young people regularly, MSYPs voted to pass the following policy:

“The Scottish Youth Parliament believes that the current SQA appeals system does not fairly consider the efforts put in by learners throughout the year and calls for the SQA to adopt an appeals system similar to that of 2022 to allow classwork and tests to be considered in the appeal system.” Passed with 91% agreement, 2023

Additionally, 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.”*

Embedding UNCRC rights into education, particularly embedding Article 29 on the goals of education as the basis for a vision of the education system.

To support this point, when we asked a workshop of young people in December 2022 when developing our response to the National Discussion, what one issue they think is most important in reforming the education system, two of the four groups voted to select “A rights-based education system”. The reasons given by young people included that they felt an education system based on their UNCRC rights would be one that gives them the skills they need to thrive in life, supports them to take part in opportunities outside of school, and values their views.

UNCRC rights are also interdependent and MSYPs in their discussions identified other rights that must be respected by the education system in Scotland. Including:

- **Article 12** - The right for children and young people to have their views heard and taken seriously. A reformed education system should embed this right into everything they do. Young people’s should be facilitated to express their views, and, in line with the convention, those views should be given due weight in decisions which affect them.
- **Article 24** - The right for children and young people to have the best possible health, including mental health. Education, especially around exams and particularly impacting young people with additional support needs, can have a significant impact on young people’s health and wellbeing. This should be better considered in our education system. One of SYP’s current National Campaigns calls for improved training and support for people that work with young people, including teachers, around mental health. This is supported by SYP’s manifesto policy, which had 89% agreement from the around 10,000 young people consulted, *“There should be mandatory training for those working in education and health care settings on how to identify mental health problems and provide support for all young people, especially those most at risk.”*
- **Article 31** - The right to rest and play. Education needs to take into account young people’s right to leisure and the system should allow for young people to take part in extra-curricular activities. These should be accessible to all young people, including those from low-income families.

Genuine recognition of other forms of education, including youth work, and the skills developed throughout a young person’s life. SYP’s *From Scotland’s Young People* manifesto includes policy, which is the basis for one of our current National Campaigns, which states: *“Local youth work should be invested in by national and local government and protected by law from budget cuts.”* This policy passed with 75% agreement.

Youth work changes lives. It provides unique opportunities and support to young people that cannot be offered in school environments for a variety of reasons. It is therefore essential that the future education system better incorporates youth work into education and values the critical role youth work can play in young people realising their UNCRC Article 29 right.

Improved support for young people with additional support needs. Challenges around education budgets have disproportionately affected young people with additional support needs. Education reform should provide significantly better support for young people with additional support needs, especially during particularly difficult times in their schooling lives like transitions between primary and secondary school, transitions out of school into whatever pathway is next for them, and exam periods.

This is supported by SYP manifesto policy, which passed with 85% support and says: *“The Scottish Government and Councils should invest in more support for and awareness of learners with Additional Support Needs.”*

2. The Bill sets out measures designed to better involve learners, teachers and others in the new body’s decision-making. What do you think about these measures?

All our engagement is with young people so we cannot comment on the measures set out to include teachers and other education experts in the new body. However, there are recent good practice examples of involving learners, teachers, other education experts in decision-making in Scotland such as the Independent Review of Qualifications and Assessment, The National Discussion or the Ken Muir review all of which widely consulted teachers, learners, and other education experts in coming to their recommendations.

Young people in our workshop in June 2024 were happy to see the inclusion of both a Learner’s Committee and a Learner’s Charter. These are welcome steps to embed the voices of young people into the work of the new qualifications body. In the development of that, Scottish Government and Qualifications Scotland should consult with young people not just on the outcomes but on the process for developing the Committee and the Charter.

However, MSYPs were concerned that the measures would be tokenistic and there would be no real opportunity for young people to shape the work of the organisation.

In discussing the Learner Committee specifically, young people in our workshop reflected that key its development is the concept of meaningful participation. Core to that is the principle that just being in the room does not equal meaningful participation. Instead, it also requires

- A culture of valuing the views of learners and a commitment to giving them influence.

- A commitment to accessible and inclusive operations to include the views of the young people involved.
- A mechanism and support for the young people involved to consult widely with learners to understand their experiences to allow them to give informed advice to the body. This is crucial to ensuring that young people from seldom-heard groups are meaningfully heard by Qualifications Scotland.

Participation experts should be involved from the start to work with young people to develop a process which upholds the principles of meaningful participation. A number of support materials are available to decision-makers to help with this, including SYP's *The Right Way* project which provides materials and training on meaningful participation designed by young people themselves through www.therightway.scot.

Young people in our workshop shared concern about the extent to which the Committee would be effective and would be listened to. In outlining how to effectively run the Learner Committee, young people in our consultation workshop told us the Learner Committee should:

- Be truly accessible and should include young people with additional support needs to reflect the diversity of people in Scottish schools.
- Have structures and support for the Committee to consult with the wider population of young people in schools to acknowledge that we cannot expect the Committee to represent every learner.
- Have a clear understanding of the role and power of the Committee to hold the body to account and this should be honestly communicated with the young people involved.
- Work closely with other key stakeholders including parents, teachers, and education experts.

3. The Bill also creates several Charters, designed to let people know what they can expect when interacting with Qualifications Scotland. What is your view of these Charters?

For reasons outlined in our response to question 2 above, we will only comment on the provision for a Learner's Charter.

As with the proposal for the Learner Committee, it is welcome that the Bill lays out a mechanism to show learners what they can expect from the new qualifications body. However, as with the Committee, MSYPs in our workshop were concerned that there may not be any accountability if the terms set out in the Charter are not upheld or that the Charter may be written by adults, without meaningful participation at its core. This should be

addressed early in the process by working with young people and participation experts in the designing the process for creating the first Learner Charter.

MSYPs in our consultation workshop did also feel that the Learner Charter could be a space to outline commitments the body should make to lessen the impact of exams on mental health and to lower the attainment gap. They felt that bold commitments like these would help to clearly outline to young people that the Charter should be a mechanism that benefits them. The changes suggested by our workshop which the Charter could include were:

- An appeals system which does not detrimentally affect young people depending on their geography and does take into account their specific circumstances. This is supported by SYP policy which says that *“The Scottish Youth Parliament believes that the current SQA appeals system does not fairly consider the efforts put in by learners throughout the year and calls for the SQA to adopt an appeals system similar to that of 2022 to allow classwork and tests to be considered in the appeal system.”* Passed with 91% agreement.
- Not to schedule exams on the same day where possible to help young people to adequately prepare for their exams.
- To provide resources on mental health to support young people with exam stress.

Finally, the MSYPs in our workshop were clear that there is a need to consider how the new body can be held to account for what they put in the Charter. Young people in our workshop were concerned that promises laid out in the Charter would not be kept to. This was exacerbated after a feeling that young people have been let down in situations such as the appeals system during the Covid-19 pandemic.

4. Part 2 of the Bill establishes the role of HM Chief Inspector of Education in Scotland, setting out what they will do and how they will operate. What are your views on these proposals? E.g. Do they allow for sufficient independence?

As above, it is important to note that establishing the role of HM Chief Inspector of Education in Scotland does not constitute significant education reform, and on its own, will not lead to the changes needed in our education system to provide young people with an education that upholds their Article 29 of the UNCRC right to an education that develops their skills, abilities, and talents to the fullest.

The young people leading our consultation workshop in June 2024 choose to focus on proposals around Qualifications Scotland instead of inspection as they felt it had a more significant impact on the lives of young people. Therefore, we are not able to take a position on the proposals around inspection.

5. What are your view on the reporting requirements set out in in Bill, including the requirement to report on the performance of the Scottish education system?

It is welcome that Qualifications Scotland will have to report annually against the expectations set out in the Charter. This will go some way to alleviate the concerns young people have around accountability relating to the Charter mechanism.

As this was not a topic we discussed with young people during our workshop or have previous engagement on, we are not able to take a view on the provision for an annual report on the performance of the Scottish education system.

6. Are there any powers HM Chief Inspector should have that are not set out in the Bill?

The young people leading our consultation workshop in June 2024 choose to focus on proposals around Qualifications Scotland instead of inspection as they felt it had a more significant impact on the lives of young people. Therefore, we are not able to take a position on the proposals around inspection.

7. In your view, what should the outcomes of the Bill be?

The Bill should be a continuation of the process of education reform in Scotland which has been ongoing for a number of years, but was especially kickstarted by the OECD report and the Covid-19 pandemic. It should not be seen as an end point or as substantial reform on its own and significant further changes (including those outlined above) would be required to meet the UNCRC Article 29 right of young people to an education which develops their personality, talents and mental and physical abilities to their fullest potential.

8. Do you have any other comments on the Bill?

No

Who We Are

Vision

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.

Mission

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.

MSYPs 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.

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.