

**‘Let’s Talk Scottish Education’**

**Our National Discussion**

**5 December 2022**

**Introduction**

1. The NASUWT welcomes the opportunity to comment on the national discussion on education to agree a clear vision for the future of Scottish education, further to the recent Muir Review recommendation.
2. The NASUWT is the Teachers’ Union, representing teachers and school leaders in all sectors of education.
3. Member feedback unfortunately indicates that there has been very little engagement with the National Discussion in schools. Very few teachers received any information directly from their employer, let alone have any dedicated time allocated to enable engagement with colleagues or indeed pupils.

**1. What kind of education will be needed by children and young people in Scotland in the future and how do we make that a reality?**

4. Education is a human right and a public good. Quality public education for all must be an unequivocal goal of the Government. That goal, in our view, can only be assured where the Government takes an active role in ensuring quality and equity, setting clear expectations of what the system should provide by way of entitlements for all learners.
5. Public education should encourage personal fulfilment, social responsibility, knowledge, cultural acquisition and skills for life. It should

deliver for society's needs for social and economic development, political participation, environmental responsibility and international solidarity. Public education also plays an important role in preparing children and young people as global citizens.

6. High-quality public education respects and values teachers and the organisations that represent them, and creates the conditions in which teachers and other education professionals are able to work together collectively on matters affecting them and their students. Public education is not only about education for democracy, but also operates democratically.
7. The NASUWT recognises the important contribution schools make in young people's development and transition to employment. Schools have a vital role in helping to develop and equip young people with the knowledge, skills and qualifications they will need to enter the world of work. As the market for jobs continues to change rapidly and markedly, schools must also be supported in their efforts to respond to current trends and to meet future economic challenges. Scotland needs to prepare young people for the new knowledge economy.
8. A 21st century curriculum entitlement is, in the view of the NASUWT, one of the most important contributions of public education in creating economic opportunity and upward social mobility for children and young people, and securing sustainable development and economic growth in the longer term for society as a whole. It is important that this critical context is held in mind during the national discussion.
9. It is within this social context that discussions around curricular reform must take place. Change must not be instituted for the sake of change itself, to satiate short-term demands for individual accountability, to distract from institutional or structural inequality, or to mask issues of underfunding. At its core, the review of the ownership of Curriculum for Excellence (CfE), the roles and responsibilities for curriculum and assessment, and the exploration of how we address the misalignment of the Broad General

Education (BGE) and the Senior Phase, must maintain a steadfast focus on the purpose of public education and ensure the needs of teachers and learners are placed at the centre of any recommendations.

## **2. How do we ensure that children and young people in Scotland feel supported in their learning in the future?**

10. In any review, the following principles must be given prominence:

- the centrality of the workforce and teacher professionalism in raising standards and narrowing attainment gaps;
- the need to ensure that teachers and school leaders have working conditions that enable them to focus on their core professional functions and are recognised and rewarded as highly skilled professionals; and
- ensuring that reform does not increase pressure on teacher and school leader workload.

## **3. What is one thing that needs to stay and why?**

11. The NASUWT shares the Government's aspiration for excellence and equity to improve the life chances of all Scotland's children and young people.

12. The NASUWT has remained strongly supportive of the broad principles set out in CfE of breadth and balance. A range of learning experiences is central to ensuring wellbeing, and both breadth and balance in learning are necessary to close the attainment gap.

13. The Union would agree that the vision for CfE reflects what matters for the education of children and young people. The real question is how that vision is translated into a practical reality in the classroom.

14. The fundamental principles of the CfE are not broken, but the NASUWT has significant concerns over the manner in which these principles have been applied in practice.

#### **4. What are the most important priorities for a future Scottish education system?**

15. Children and young people learn best when teachers are given the time, resources and scope to make the fullest use of their professional talents, knowledge and expertise. An education system that does not give practical effect to this core guiding principle cannot expect to provide pupils with the full range of high-quality learning opportunities to which they are entitled.
16. While CfE signalled a progressive approach to curricular design which would support teachers' professional judgement, this has not been easily aligned with the cultural reality within schools. As such, Scottish education has never fully achieved the ambitions of CfE, although primary settings have moved closer to the intended vision than secondary. In the secondary sector, the hierarchy of qualifications continues to dominate and drives not only the Senior Phase but also much of the BGE, which militates against excellence and is not in tune with the principles of CfE.
17. Scottish education, through the narrative of empowerment, has accepted that the headteacher should be the lead decision-maker in how the curriculum is designed and provided in their schools. On paper, it is accepted that there must be flexibility within the curriculum in order that it can be amended and shaped to meet local needs. It is important to highlight that this flexibility must not take place outwith an agreed national framework, such as CfE, therefore ensuring there remains a common national entitlement to a broad-based national curriculum for all pupils. This is an important right for pupils and the expectation of parents of a state-funded education system. Headteacher empowerment is not, however, sufficient on its own to create an empowered school system. Currently, curricular decision-making sits disproportionately with school management and there has been a national failure to implement systems of collegial working which recognise the skills and autonomy of the classroom teacher and empower all teachers.

18. The NASUWT is concerned that the foundational principles of CfE have been lost in the secondary sector due to over-assessment, and that the COVID-19 crisis has exacerbated this existing systemic weakness.

## **5. Overall, what is your vision for the future of education in Scotland?**

19. The Union aspires to a Scottish education system which empowers frontline class teachers. Such a system would be predicated on a genuinely collegial working culture with empowered teachers and trade unions, rather than a hierarchical system of command and control driven by anxiety and with no trust given to frontline teaching staff.

20. Teachers must be able to take ownership of their own professional learning and access career options without a prohibitive gatekeeping system acting as a barrier to an empowered system. Currently, teachers can face barriers to access the leadership pathway as a result of conscious/unconscious bias or cronyism. The system must operate in such a way that teachers are not prevented from accessing appropriate training, time out, learning opportunities, or coaching and mentoring to develop their skills and experience in order to further their career.

21. Research on teachers' morale and motivation has found that in a context in which headteacher autonomy is being extended, and where headteachers' engagement within the classroom as leaders of instructional practice has diminished, classroom teachers say that they are valued and respected less and report significantly reduced levels of professional esteem, morale and job satisfaction.

22. The Government must create the conditions in which headteachers act as lead practitioners who remain in touch with the classroom by continuing to practise pedagogy and demonstrate their teaching skills to those around them.

## **6. How can we make that future vision for education a reality in Scotland?**

23. Members report that the current career pathway system is inherently discriminatory, and this information was highlighted during the Career Pathways review. It is really important that we integrate equality considerations and seek out the voices of those with protected characteristics within Scottish education as a priority, not least because the Public Sector Equality Duty (PSED) requires public authorities, in the exercise of their functions, to have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct that is prohibited under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- foster good relations between people who share a protected characteristic and those who do not.

24. There is a wealth of research showing that Black teachers and other workers with protected characteristics face greater barriers and discrimination in gaining promotion and pay progression than the generality of workers, and that both overt and covert instances of racism are a daily reality in workplaces. The NASUWT considers that systemic organisational change is required in the education service to challenge these injustices.

25. The career structure within Scottish Education requires a radical overhaul. The NASUWT has been calling for a flatter structure, which will support professional empowerment and a reduction in the differentials of power and recognition/reward between leaders and teachers. These changes to the career structure would better support the realisation of the vision of CfE, as would a funding commitment to the relatively new Lead Teacher post.

## **7. What are the most important steps we need to take to achieve the future vision for education in Scotland?**

26. The NASUWT believes that all children and young people have an entitlement to access a broad, balanced, relevant and engaging curriculum. The Union has also campaigned for curriculum frameworks that do not result in excessive and unnecessary workload burdens for teachers and school leaders, or distract them from their core responsibilities for teaching and leading teaching and learning.

27. The NASUWT has identified ten fundamental principles of effective curricular provision:

**(1) *The curriculum should build from a clear set of aims and values and there should be broad consensus about the purposes of the curriculum.*** The curriculum should provide an overarching set of aims, values and purposes that link to the goals and purposes of school curricula. Programmes of Learning or Programmes of Study that form part of the curriculum or the whole school curriculum should include explicit goals that reflect the aims, values and purposes of the curriculum. There should be wide consultation with all key stakeholders and broad agreement about the aims, values and purposes of system-wide curricular frameworks.

**(2) *The curriculum should start from the needs of the child and address both their learning and development needs.*** The curriculum should be flexible and accommodate pupils' different needs. It should support their social, emotional, physical, moral, spiritual and cultural development, as well as their intellectual development.

**(3) *All pupils should have an entitlement to a broad, balanced and relevant curriculum.*** The curriculum should recognise different forms of learning, including academic and practical learning, and offer rich, engaging and relevant experiences. This is critical to tackling disaffection and addressing poor pupil behaviour. The curriculum should help learners to become confident and successful and enable them to make a positive contribution to society. Schools should offer a curriculum that secures

breadth and balance and is relevant to all pupils.

**(4) *The curriculum should promote the principles of equality, community cohesion, social justice and international solidarity.*** The curriculum should equip pupils with the knowledge and skills to challenge discrimination and injustice. It should prepare them to live and participate in a globalised world. This includes helping pupils to understand and appreciate their own identities and those of others. The curriculum should provide opportunities for pupils to engage critically with issues relating to equality and justice and take part in activities that contribute to social cohesion.

**(5) *There should be coherence and consistency between policies that relate to the curriculum and other education policies.*** Policies relating to the curriculum must ‘fit’ with, and be supported by, other education policies, including those relating to teachers’ professional autonomy, teachers’ professional development and school accountability. The broader education system must not undermine the principal aims and objectives of the curriculum. In particular, a punitive, high-stakes accountability regime that pressurises schools into narrowing the focus and range of pupils’ learning experiences is not appropriate or acceptable.

**(6) *Curriculum policy and practice should respect and promote the notion of teachers’ professional autonomy and judgement.*** Teachers must be able to use their professional judgement both individually and collectively to determine what is most appropriate, including the suite of qualifications on offer, for the learners they teach. They should have the flexibility to make decisions about what they teach and how they teach.

**(7) *Leadership of the curriculum should build on the principle of collegiality, with teachers working together to design the curriculum.*** Teachers should be actively engaged in the design and development of both the national curriculum and, within that framework, their school’s curriculum. It is essential that reforms encourage schools to adopt approaches to leadership that engage all teachers and support



collaboration and co-operative working.

**(8) As professionals, teachers and school leaders should have access to, and undertake, regular curriculum-related professional development.** High-quality continuing professional development (CPD) is essential if teachers and school leaders are to maintain and extend their professional knowledge, skills and expertise. All teachers and school leaders must have designated time to reflect critically on their practice, and undertake high-quality CPD and support. CPD must be free, well-funded and robustly quality-assured. It must also be designed in a way that ensures that all teachers can access it.

**(9) Practice should enable teachers and school leaders to focus on their core responsibilities for teaching and leading and managing teaching and learning.** High-quality curricular frameworks should allow teachers to focus on teaching and learning. Teachers should be able to draw on the skills of others to support pupils' learning, including expertise from the local community. Tasks that do not require the professional skills and expertise of a teacher should be undertaken by appropriately trained and qualified members of the school workforce.

**(10) Practice should be efficient, avoid unnecessary bureaucracy and workload, and be organised in ways that provide space for teachers to function as professionals.** The curriculum must be monitored rigorously for its impact on workload and organisational bureaucracy. This needs to happen both at national and school level. It should mean that problems are identified and addressed.

28. As it stands, CfE has failed to meet all of these aspirations and so provide a coherent progression in the journey of learners (3-18 and beyond) that gives them the best possible educational experience and enables them to realise their ambitions. There are a myriad reasons underpinning this failure, including:

(a) Transitions within the system between primary and secondary and

between the BGE and senior phase are not working consistently across the country.

- (b) Conservatism within Scottish education has ensured that flexibilities within the system have not been utilised, other than in exceptional circumstances. To achieve the vision of CfE, in reality, schools would need the flexibility to move away from a cohort approach.
- (c) The Senior Phase has created a postcode lottery across Scotland and there is a visible tension between local flexibility and national guidance.
- (d) There is a lack of a clear framework – such as in the number of subjects to be studied at Senior Phase.
- (e) Coherent progression in the BGE is hamstrung by the absence of a clear framework. Education Scotland has failed to properly explain that there is no need to cover all experiences and outcomes (Es+Os) and Benchmarks to achieve a CfE level, resulting in a tick-box culture which has severely limited teacher empowerment, allied with a lack of clear exemplification of standards in BGE.
- (f) An atmosphere of cognitive dissonance persists across the system with a lack of consistency between data-driven approaches alongside often nebulous guidance; a key example would be the vagueness of the BGE followed by the absolute rigidity of the SQA qualifications.
- (g) Levels of accountability applied to classroom teachers do not reflect the aspired level of autonomy.
- (h) There is a lack of parity between academic and vocational routes. For example, 'My World of Work' sits in and around academic work, in the spaces between timetabled classes, and there is insufficient time or support for class teachers to engage with it. The Scottish Credit & Qualifications Framework (SCQF) is already well-established and is slowly gaining traction in schools as a way of recognising a range of awards.
- (i) Additional Support Needs (ASN) and inclusion, as highlighted in the Morgan Review, remain an afterthought in policy development and curricular design.
- (j) Responsibility for achieving too many aims is piled onto teachers without sufficient resources.

- (k) There are very few best practice models available to adopt wholesale. Time is needed to develop alternative models, but there is no time available.
- (l) Strong school/college partnerships are necessary to see a step-change in the offers made to young people. These require a supportive local authority which buys in and is committed to genuine school/college partnership. For schools to buy in and build a broad timetable there needs to be support provided to management, as whole school timetable building which includes college availability is very difficult.
- (m) Where schools move away from an exam focus and look to wider CfE aims, it often feels tokenistic – for example, many of the Inter-Disciplinary Learning projects in the secondary sector. The success of CfE is unable to be achieved while the tail continues to wag the dog.
- (n) There persists a culture of using a safety net of focusing on the banking of evidence. We need to change the culture of what constitutes being successful at the end of the school journey.
- (o) Broader skills and experience of teachers are often overlooked in schools, and short-term supply or cover teachers are underutilised in supporting the development of wider skills.
- (p) The curriculum is supposed to have relevance to young people's lives, and more space needs to be provided for Personal and Social Education (PSE).
- (q) Mental health is becoming an increasing issue for all members of the school community and greater priority needs to be given to teaching pupils how to build healthy relationships.
- (r) Cultural issues with hierarchy within the system and within schools persist where command and control rather than collegial cultures exist, thereby creating dissonance with the values of equity, equality and social justice

29. The curriculum should be designed and implemented in ways that allow teachers to plan, prepare and assess pupils' work, collaborate with colleagues, reflect critically on their practice, access support and undertake training and CPD. The NASUWT is clear that the main barrier

to teachers and practitioners working collaboratively is the lack of any meaningful provision of time to do so.

30. Collaborative activities must be purposeful and enhance teaching and learning. This should not be a burdensome bureaucratic process. It should be supportive and developmental and not high-stakes or judgemental. Engagement cannot be on the basis of compulsion.

## **8. How can we ensure that everyone involved in education in Scotland has a say in future decisions and actions?**

31. The Scottish Government needs to grasp this opportunity to develop a genuinely collegiate approach going forwards, ensuring these reforms are not a cosmetic exercise and that the perspective of classroom teachers is placed at the heart of any reform.

32. The NASUWT is clear that there needs to be a very strong focus on the practitioner voice in all education policy development and that this must explicitly include the voice and perspectives of practising classroom teachers.

33. There is a tendency to prioritise the voices of those who are not practising teachers throughout many Scottish Education bodies. Given the tremendous problems with COVID-19 over the last two years, we have to be clear that without proper engagement with classroom teachers and the voice of teachers firmly embedded therein, any reform is simply not going to have the support of the profession.

34. The NASUWT Scotland Conference in 2021 passed a motion which sets out the Union's overarching systemic aims:

- i. system reform to build a more relevant and resilient education system, which would better cope with this crisis and any future circumstances;
- ii. class teachers to be empowered and at the core of the education system;

- iii. a reduction in formal examinations, both in number and frequency;
- iv. teachers are actively engaged in the design and development of both the national curriculum and, within that framework, their school's curriculum;
- v. any reform must encourage schools to adopt approaches to leadership that engage all teachers and support collaboration and collegial working;
- vi. any proposed curricular change must be monitored rigorously for its impact on workload and organisational bureaucracy;
- vii. the Union is included in all national discussions relating to the curriculum and Scottish qualifications;
- viii. the views of members are sought to inform any response to the pending OECD report and outcomes.

35. The recent OECD report recognised that there is a gap between stakeholders' involvement and their impact on effective enhancements to CfE implementation. The NASUWT has consistently set out the need for teachers to be more than heard; their knowledge and expertise must be placed at the centre of national policy-making on CfE implementation.

36. As part of the engagement process with the OECD, all key stakeholders, including the NASUWT, were clear that schools and teachers should hold responsibility for the conception, implementation and outcomes of their own curricula, provided other education bodies fulfil their own responsibilities to support schools and the profession within a clear policy framework. But this aim was widely recognised as not being met, with CfE ownership often described as fragmented and an absence of clarity on whose responsibilities lie where.

**LEARNING: How can high quality educational experiences, teaching, and learning be best supported for children and young people in Scotland?**

37. As outlined above, there are significant systemic and institutional barriers to schools and pupils accessing the full breadth of curricular offers and

qualifications, including cultural barriers and limits on time and teacher autonomy, as well as the impact of pressure from parents and society more broadly to maintain a historical exams process which is out of step with the vision of CfE.

38. There are systemic issues that need to be addressed around the role of leadership and empowerment within the Scottish education system. For example, different sets of accountability standards apply, dependent upon your role in education. Teachers are held to the General Teaching Council for Scotland (GTCS) Standard for Full Registration (SFR), whereas the Leadership Standards are not used as benchmarks for accountability. This disparity in treatment gives clear messages to the system regarding the balance of power. Moving forward, the NASUWT would wish to see a flatter structure which would better recognise and support the lynchpin role of the classroom teacher in determining curricular decisions, as well as the GTCS Leadership Standards holding the same weight for system leaders as the SFR does for classroom practitioners.
39. It is right that, as a publicly funded universal service, the education system should be subject to an appropriate, constructive and proportionate system of accountability. The Union is clear, however, that accountability systems should not place unnecessary or excessive workload and bureaucratic burdens on teachers and school leaders.
40. The NASUWT believes there are ten principles that should underpin national and school-level systems of school accountability. Applying these principles would engender public confidence and help teachers and school leaders to focus appropriately on providing high-quality teaching and learning for every pupil.

Systems of school accountability should:

- i. Trust teachers as professionals

Systems of accountability must not be designed to, or operate in ways that could, undermine teachers' professional status, integrity or commitment.

Accountability systems should also recognise that, as professionals, teachers have particular expertise which means that they may be best placed to make judgements about the quality and effectiveness of particular aspects of education.

ii. Support schools to provide a curriculum that is broad, balanced and meets the needs of all learners

Accountability systems should value the range of ways in which schools help learners to engage in learning, progress and achievement. Teachers should be actively engaged in decisions about the design and implementation of curricula and assessment and the related accountability arrangements.

iii. Support schools to maintain high educational standards

Accountability judgements should be holistic. Teachers and school leaders should contribute to decisions about improving the quality of provision for pupils.

iv. Support teachers and school leaders to improve the quality of teaching and learning

Accountability arrangements should complement efforts to improve the progress and outcomes of pupils. Teachers and school leaders should have an entitlement to high-quality CPD, and time within the working day to access such CPD.

Accountability should recognise teachers' professional knowledge and expertise, rather than focus on penalising teachers.

- v. Encourage and support teachers and school leaders to work co-operatively and collaboratively

Teachers should be encouraged to work together to develop and share effective practice. Collaborative working, within and beyond the school, should be recognised as an important form of CPD.

- vi. Be fair and equitable

Teachers should not be penalised because, for example, they are inclusive or work with learners who have challenging or complex needs. Furthermore, teachers should not be penalised because they do not teach a 'core' subject.

- vii. Ensure that teachers and school leaders are supported to engage in dialogue and collaborative decision-making

The collective voice of teachers should be recognised as being of critical importance when forming judgements about the quality and effectiveness of education provision.

- viii. Ensure that the needs and priorities of learners and parents are considered and taken into account appropriately in decision-making

'Pupil voice' should not be used in ways which undermine the professional status, integrity or judgements of teachers and school leaders.

- ix. Be streamlined

Accountability systems should not place unnecessary or excessive workload and bureaucratic burdens on teachers and school leaders.

- x. Be rigorous, reasonable and valid



The public and the teaching profession should have confidence in the judgements made. Inspection and accountability systems should respect the professionalism of teachers, not impose excessive and unnecessary workload burdens, and provide genuine support to the work of schools in raising standards and promoting educational achievement.

**EQUITY: How can every child and young person's individual needs be supported and addressed in the future?**

ASN

41. The evidence from the Additional Support for Learning (ASL) Review, led by Angela Morgan, was that ASL is not visible or equally valued within Scotland's education system. The NASUWT fully agrees that additional support provision should not be viewed as a minority area of interest, nor should it continue to be considered separately within the framework of Scottish education. Nevertheless, the situation remains that across Scotland there is great variability of ASN provision: a variety of approaches to cost-saving at local authority budget level have affected ASN provision, including reductions to support staff, and an absence of openness and transparency from local authorities and the Scottish Government on spending allocated for ASL.

42. A multifaceted approach is required to ensure pupils can access appropriate support both within and outwith schools. This includes: appropriate CLPL; teachers being able to access sufficient time for learning, professional dialogue with colleagues, and reflection; workload that is manageable; appropriate levels of support staff to be made available; and advice and guidance from central support services.

43. In its submission to the Morgan Review, the NASUWT highlighted that policy and practice in respect of ASN were high priorities for the Union's members but that its experiences highlighted a range of issues and concerns about ASN. In particular, the Union noted that teachers had

expressed concerns about management practices relating to ASN, including how ASN is prioritised within the school. Many ASN teachers and teachers working in special schools raised concerns that abuse and violence is now seen as ‘part of the job’.

44. The context of the Review was that there had been an increasing national focus on inclusion and a clear expectation that every teacher is a teacher of ASN. Feedback from NASUWT members working in front-line roles with children and young people with additional educational needs (AEN) suggested that the demands being placed on teachers and schools were increasing, that increasing numbers of learners with more complex needs were being taught in mainstream classrooms, and that, across the system, the range and complexity of needs were increasing.

45. NASUWT members also emphasised that cuts to specialist services were exacerbating the difficulties that schools face and inhibiting the ability of schools to access the support that children and young people with ASN need. Reports also indicated that schools and teachers were encountering significant challenges as a result of austerity, including issues arising from cuts to local authority and other education and health services.

46. In light of these concerns, the NASUWT welcomed the Review’s recommendations on teacher education and development, namely:

*‘Teacher recruitment, selection, education and professional development and learning processes must align with the changed and changing profile of children and young people in Scotland, ensuring:*

- *All teachers hold and enact professional values of inclusion and inclusive practice and see this as a core part of their role.*
- *All teachers understand what additional support needs are. They are clear about their role in supporting the identification of additional support needs and the need to adapt their teaching to ensure a meaningful learning experience for all their learners.*

- *All teacher education and development includes nationally specified practice and skills development in supporting learners with additional support needs, as a core element.*
- *Practice learning and development at local level must include where and how to access specialists' expertise and support.*
- *Communication, relationship building and positive mediation skills development are incorporated and embedded into teacher education and development, supported by coaching and mentoring opportunities.*
- *Parity of career progression, pathway structures and opportunities for specialist teachers of Additional Support for Learning:*
  - *There should be a first teaching qualification in additional support needs available during Initial Teacher Education; and*
  - *The career path proposal under consideration by the SNCT to develop new career pathways should have an additional strand for Additional Support for Learning.*
- *The focus and methods for teacher education and practice learning are directly informed and developed by the feedback of teachers.*
- *Innovative and partnership approaches to practice learning should be developed including delivery and participation of children, young people, parents and carers.'*

47. The NASUWT further concurs with the evidence from the review to show that ASL is not visible or equally valued within Scotland's education system. In 2018, 30.9% of children and young people in Scotland's schools had an identified ASN.

48. Austerity has imposed significant pressure on resources in all parts of the public sector, and ASN support has been disproportionately affected. Supporting children and young people with ASN requires urgent renewed

investment in tailored services and education settings to ensure that there is equality of opportunity and choice for all.

49. ASN deserves to be prioritised by the Scottish Government not only to highlight awareness of the significant issues the system faces, but also as a vehicle for ensuring greater investment in the sector. Investment in, and collaboration between, wider children's services is key. The crisis has highlighted and deepened pre-pandemic concerns about the fragmented nature of children and young people's services in key respects, particularly in the areas of special and additional needs. The Government must support action in this area through significant investment in these services, particularly in-school and out-of-school services focused on supporting the mental health and wellbeing of children and those who are most vulnerable and disadvantaged. The real-terms cuts in spending in the children's services sector experienced over the past decade must be reversed, with additional resources made available to meet recovery-related priorities.

50. Without investing in appropriate provision, it is to be anticipated that ASN children's education and mental health and wellbeing will continue to be compromised.

### Technology

51. Technological advancement requires an infrastructure including laptops and broadband. Technologies should only ever be used as a support for teachers undertaking curriculum and assessment and never as a replacement.

52. In many schools there are not enough laptops and where schools are asking pupils to use their own devices this creates a two-tier system and undermines work to tackle socio-economic disadvantage. In other authorities where schools have issued each pupil with an iPad, there have been unintended consequences and structural challenges often resulting in pupils and staff feeling it may cause more trouble than it is worth. Teachers and pupils have reported difficulties in accessing the internet

both at school and at home, particularly in rural areas where there are often issues of hidden poverty and unreliable mobile data and broadband. Indeed, this is indicative of a wider systemic central-belt assumption where policy initiatives are often created without considering the impact on rural areas.

53. Equally, there are knowledge barriers to pupils engaging with technology: often an assumption is made that children and young people will inherently know how to use a device, but this is not always true. Technology, while capable of being a good support in some circumstances, is not a universal quick fix. Austerity has also removed many of the IT support technician roles from schools, creating further workload burdens for teaching staff.

### Funding

54. NASUWT members have reported a funding crisis in schools with the following extremely detrimental consequences:

- pupils are being asked to buy materials and books for their courses, or to print resources for the courses they are taking at home;
- limitations on training courses for which there is a charge;
- multi-level teaching and class sizes continuing to increase;
- limitations on off-campus places for children and young people with the most challenging behaviours;
- special school provision in many local authorities is being stripped out;
- children and young people in mainstream settings are failing to receive the support they need and discipline standards are plummeting in classes affected, which impacts on all pupils in these classes;
- large capital purchases in schools, together with the replacement of obsolete or broken equipment in departments such as science, are not being funded;

- some local authorities are employing third-party service providers (e.g. for IT), presumably on the cheapest tender, whose level of performance is unacceptable;
- timetabled senior classes are being cancelled due to 'uneconomic numbers'.

55. Teachers also report that many local authorities are prevented from delivering their statutory duty to ensure equity, irrespective of socio-economic disadvantage due to funding. Despite the policy intention underpinning the Scottish Attainment Challenge, there remains no question that many pupils can only pursue senior courses of study because their families can afford to pay for textbooks and resources.

### Care Experienced

56. While the implementation of the Promise in Scotland was welcome, it will take time to embed and to guarantee an appropriately intersectional approach is taken by government and schools. For example, in 2018, the Scottish Government published its Tackling Child Poverty Delivery Plan (2018-22), recognising that the risk of child poverty varies between different groups, and identified a number of 'priority groups' from their statistics:

- lone parents: 36% of children in relative poverty;
- disabled: 30% of children in relative poverty;
- 3+ children: 30% of children in relative poverty;
- minority ethnic: 37% of children in relative poverty;
- youngest child aged <1: 32% of children in relative poverty; and
- mothers aged <25: 44% of children in relative poverty.

Today, children who are in care are among some of the most vulnerable to poverty in Scotland, but the Scottish Government did not include children in care as one of the six priority groups at a higher-than-average risk of poverty.

## Refugee and Asylum Seeker Children

57. Vulnerable children fleeing terrible experiences are being supported and educated in schools in Scotland. However, the support available to individual families and children remains variable and significant concerns have been raised by members that allocation of funding and support may be affected by institutional discrimination and racism.

### **WELLBEING: How can children and young people's mental, emotional, social, and physical wellbeing and safety be cared for and supported in the future?**

58. The constant churn of educational edicts from central government and agencies is an additional unwelcome and unnecessary distraction and is overwhelming to teachers who are trying to focus on teaching and learning. This repeated production and recycling of documentation has been recognised by the OECD as not only creating workload and bureaucracy but also muddying the waters to the extent that there is no clarity on where the responsibilities for the strategic direction, review and updates for CfE lie.

59. Teachers in Scotland should have access to professional support to help them process the increasingly complex and stressful demands associated with managing the welfare of children and young people.

60. Despite being expected to become increasingly involved and responsible for supporting the daily lives of children and young people, teachers, unlike colleagues in social care and educational psychology, do not have any automatic access to programmes of structured professional support and supervision. The NASUWT has been campaigning for a national programme of regular, structured, professional support for teachers. The demands and responsibilities on teachers to manage pupils' welfare, safety and emotional health are continuing to multiply. Teachers take these

responsibilities very seriously and care greatly about the pupils they teach. However, their own needs can often go unnoticed and unmet, leading to burnout, stress and anxiety.

61. Teachers' wellbeing must be given higher priority in order that they are in the best position to be able to help pupils. The provision of professional support and also counselling, where appropriate, would be recognition of the vital role teachers play in safeguarding and supporting pupils and would be an investment in both the welfare of teachers and pupils.

62. Increasing numbers of teachers report that they are experiencing debilitating levels of stress and anxiety and are being forced to seek out medication and counselling as a result of the pressures of the job. Access for all teachers to regular opportunities to discuss the challenges they face would help to alleviate some of the emotional burden which comes with the job and help prevent teachers becoming ill or leaving the profession because of the stresses they face.

63. Appropriate resources are essential, including time for teachers to access such discussions, while it is vital that these are safe spaces, especially for those whose own experiences of prejudice and discrimination may have been triggered by their efforts to support pupils. Teaching is an increasingly complex job and yet the structures in place to support teachers have not kept up with the changing nature of the demands of teaching. It is time for recognition of the unique challenges of the job and for the associated professional support for teachers to help manage those pressures.

**RIGHTS: How can the right of every child and young person to have opportunities to develop their full potential be achieved in future?**

Public Sector Equality Duty



64. National agencies and other providers must commit to pay more than lip service to the PSED, and monitoring and data collection must be a core part of supporting curriculum and assessment issues.
65. One further challenge from the pandemic was that there did not appear to be any effective oversight of the ways in which local authorities were undertaking their responsibilities, and there was some variation in practice that was difficult to explain or justify. It will be important that more effective steps are taken to intervene in the case of local authorities and schools that impose excessive and unnecessary additional burdens on staff.
66. Whilst it has been accepted by the Government for some time that it must work to create the culture and capacity for teachers and practitioners to improve the learning outcomes in their classrooms, there has been a consistent absence of any concrete proposals to support cultural, as opposed to structural, change.
67. The report of the initial findings of the International Council of Education Advisers as far back as July 2017 stated that: *'[t]he Council advised against becoming too focussed on changing the structure of the education system when, arguably, the more important aspects are the culture and capacity within the system'*. System change will not automatically lead to cultural change, and transformative cultural change will take time. In addition to structural reform, some attention and time needs to be given to foster and engender cultural change in Scottish education.

### UNCRC

68. In 2022, the NASUWT's most important decision-making body, its Annual Conference, confirmed the Union's stance on the United Nations Convention on the Rights of the Child (UNCRC), in light of its pending incorporation into Scots law. The Union position is clear, the rights of the child as set out in the UNCRC are fundamental and it is important they are respected in policy and practice at national, local and school level. The UNCRC provides an important basis for supporting children and young

people to flourish in all aspects of their lives and to develop and benefit from the universal human values of peace, dignity, tolerance, freedom, equality and solidarity. The NASUWT fully shares these aspirations.

69. It is clear that the UNCRC provides an important mechanism to hold the Scottish Government, local authorities and other public bodies to account for the impact of their actions, and inactions, on the rights of children and young people. Accountability is important to ensure policy decisions consider not only the impact on the resourcing of education, the quality of education achieved by supporting teachers and leaders, and the protection of children from discrimination, but also ensure that families are given the assistance they need, as the primary supporters and nurturers of children and young people.

70. The NASUWT will draw on the UNCRC, both before and after incorporation, to challenge the Scottish Government and local authorities where their policies fall short of the ambitions for children set out in the Convention. In holding others to account, the Union will ensure that the UN's view that to give genuine effect to the UNCRC means teachers and leaders must be involved in the development and implementation of education policy, is respected in practice.

71. The NASUWT does not object in principle to the incorporation of the UNCRC into domestic legislation, but is clear that its implementation must fully recognise the other important rights school staff and children in Scotland possess. These rights include those set out in the Universal Declaration of Human Rights, the Human Rights Act, the European Convention on Human Rights and other legislative rights passed by the Scottish and, where applicable, Westminster Parliament.

72. Teachers' and leaders' status as employees and workers brings other fundamental rights into play, including those set out in the UN's International Labour Organization (ILO) conventions. ILO conventions, in the same way as the UNCRC, are legally binding on countries that have ratified them, including the UK. These conventions set out, for example, the right to take

lawful industrial action and to take action to prevent workplace discrimination. Domestic legislation provides additional rights for teachers and leaders in relation to health and safety at work and discrimination, as well as their terms and conditions of employment.

73. The NASUWT is clear that advancing the UNCRC must be done in a way that takes full account of and respects the rights of teachers and leaders, including their right to take industrial action and their right to ensure they can work in an environment which secures and maintains positive pupil behaviour.

**WORLD: How can children and young people be helped to learn about our changing world, so they feel able to positively contribute?**

#### Discrimination and Racism

74. The NASUWT, through its Act for Racial Justice Campaign, is committed to challenging all forms of race discrimination, injustice and inequality in education. The Act for Racial Justice Campaign was launched at the NASUWT's annual Black Teachers' Consultation Conference, which is now the biggest event for Black teachers in Europe. The campaign was launched partly as a response to findings by the Union, which showed that Black teachers believe they are being discriminated against when it comes to pay progression, access to CPD and promotion prospects, and increasingly being subject to competence/capability procedures. It also aims to address issues around the inequality in educational provision for Black pupils, unequal academic attainment among different minority groups, and the wider problem of racism in society.

75. The NASUWT believes that addressing the issues that prevent Black teachers from both entering the teaching profession and progressing and staying in the profession is essential for a truly equitable education system. Teachers from Black and minority ethnic backgrounds are as committed to teaching as their white colleagues, but struggle with the endemic racism that

pervades the education system. Racial inequality exists at different levels within the education system and is stubbornly persistent, affecting Black teachers' morale and long-term career aspirations. For the education system to be able to deliver for all of society, discrimination has to be challenged and rooted out wherever it is found.

76. Preventing and tackling racism and religious discrimination should be a priority for every school and there should be no place for discrimination, inequality and intolerance in our schools, or in Scotland. The NASUWT believes more needs to be done to: challenge religion-based bullying, harassment and discrimination; embed compulsory equality training for all staff in schools and colleges; and promote the embedding of equalities within the curriculum.

77. It remains deeply disappointing that local authorities and schools are not always cognisant of their duties and responsibilities under not only the Equality Act, but also the PSED, and specific training on the PSED for employers and schools is overdue.

78. Schools and colleges and the wider education system have a central role to play in promoting racial justice. There are huge disparities in educational outcomes that young people face from particular backgrounds, and this is an increasing problem that has been exacerbated by the pandemic. Racism, racial injustice, economic disadvantage and other discriminatory factors have been impacting on the education outcomes and life chances of young people since well before the pandemic as a result of systemic inequalities. This situation has worsened for young Black pupils, as well as those from Gypsy, Roma and Traveller (GRT) and poorer backgrounds, further compounding the socio-economic disadvantages they face.

79. Schools can make a vital contribution in relation to educating, safeguarding and creating a climate in which all staff and pupils feel safe and are treated with respect. Schools need to take steps to ensure that:

- the school/college promotes a climate of respect for diverse beliefs and customs;
- every student, member of staff, and parent/carer within the school/college community feels valued and secure;
- the curriculum reflects and represents accurately the racial, cultural and religious diversity of Scotland and the world, and addresses issues of difference and diversity in ways that counter prejudiced assumptions about ethnic, cultural and faith groups;
- false assumptions and stereotypes are challenged with sound factual information;
- they are vigilant for any signs of name-calling, abuse or bullying involving any member of the school/college community;
- all incidents of name-calling, abuse and bullying are reported, recorded and dealt with promptly and sensitively;
- the views and needs of staff and students from all religious and ethnic backgrounds are identified, including through consultation, and used in policy planning and decision-making;
- policy proposals and decisions are assessed and monitored to establish their impact on ethnic, cultural and religious grounds;
- arrangements for appointing, promoting and developing staff are open, fair, transparent and non-discriminatory;
- all staff are given appropriate training and support to enable them to tackle discrimination, bullying and harassment, promote equality of opportunity and tackle issues of racial, cultural and religious diversity;
- appropriate systems for monitoring by ethnicity and religious group are in place, and monitoring includes pupil attainment and progress, school admissions, sanctions (including exclusion), staff recruitment and selection, promotions (including the award of responsibility points) and professional development; and
- where monitoring identifies differences/gaps between groups of students/staff, measures, including positive action strategies, are put in place to address inequalities and improve outcomes.

80. School and college leaders have a critical role to play in ensuring that issues related to racism and discrimination are identified and addressed appropriately and effectively. They need to ensure that:

- equality matters are identified and addressed through strategic planning and decision-making;
- all staff and students know about equality policy and procedures, and that they are being implemented consistently and coherently across the establishment;
- responsibility for tackling racism and promoting good practice is a collective one; and
- all staff are appropriately trained and supported so that they can fulfil their roles and responsibilities.

81. School and college leaders should ensure that individual staff are not isolated or placed in a vulnerable position because they challenge racism or because they promote equality and diversity through their teaching.

82. There is no quick fix to transform Scottish education, but more long-term funding must be allocated to train managers and local authority staff. Permanent structures need to be put in place, such as an increase in diversity and inclusion posts, to ensure that equality is given the necessary time and effort.

83. As a result of endemic racism within the Scottish education system, there is a deficit of trust within Black communities. Many members, when they have confided in others about discrimination, feel that their experience is disbelieved and that there is an unwillingness to challenge prejudice directly within the system. While improved and effective policies for reporting would enable incidents of discrimination to be followed up, greater emphasis on supporting restorative conversations to foster positive working relationships and rebuild trust in the system are also required.

84. In short, anti-racism should be a leadership priority and we must have accessible professional learning opportunities, informed by the lived

experience of educators and young people, which build racial literacy and support leadership at all levels.

### Professional Learning (equalities)

85. In order to better support the implementation of the PSED, the NASUWT has been campaigning for mandatory race equality and cultural diversity awareness training across the whole education service, including all Initial Teacher Education (ITE) institutions.

86. In order to secure the best outcomes, we must: ensure that the Scottish Government, Education Scotland and the Convention of Scottish Local Authorities (COSLA) develop and implement an appropriate programme of race equality training for the school workforce; ensure that access to appropriate professional learning, including equality training, is a contractual right of all teachers and headteachers; and require all employees with line management responsibilities in schools to be trained and to understand fully their equalities duties and responsibilities.

87. To tackle institutional racism and support the outcomes and recommendations of the *Teaching in a Diverse Scotland* report, more emphasis must also be given to developing allyship and ensuring all teachers are fully involved in tackling institutional racism.

88. Training must be about more than just being talked to or undertaking an online tick-box course. External organisations could be used to support staff training and raise awareness of issues such as racism, sectarianism or Islamophobia. The training must be followed up to establish its effectiveness.

89. Opportunities for leadership and collaboration should be provided, in addition to training, to support Black teacher development and allow individuals the opportunity to work with a variety of staff. Such collaborative endeavours, like training, should be available to all and not exclusive; they must be designed to support, not inhibit, access.

90. Black teachers need a safe space which will foster a strong sense of agency, such as the BME Leadership and Mentoring programme launched by the Scottish Association for Minority Ethnic Educators.
91. Training and development programmes need to reflect the diverse workforce that employers are seeking to attract. They should also lead to promotion opportunities, not simply an entry point to the profession.
92. Finally, it is important to emphasise that training and development should not just be for Black workers. White workers, especially in positions of power, are often identified by Black workers as the ones who need training and development; for example, on raising racial literacy or on engaging in difficult conversations about race.

#### Professional Learning (more broadly)

93. A greater strategic focus on supporting the professional learning of classroom teachers is also required. The balance is out of kilter in terms of the support provided to leadership versus the support provided to classroom teachers. Disparities in the availability of high-quality training feeds into the system ethos, creating a hierarchical structure.
94. Education Scotland should focus on providing high-quality resources for teachers: feedback from members suggests that they would like a quality-assured resource bank and guidance in terms of frameworks and exemplification of key standards.
95. There remains little appetite within the system for the continuation of Regional Improvement Collaboratives (RICs). While some RICs are undertaking positive work, very few teachers are aware of it, as there is limited trickle-down to the chalk face.



96. Structural change will take time, but it is important that teachers are supported to ensure the continuity of flexibilities that do currently exist in the system, such as the bypass of National 5 for talented candidates.

97. We need to look through a radical lens to rebuild education and to plan to ensure this rebuilding is achievable. Scottish education needs to take a leap of faith, rather than being bound by anxiety, to ensure the vision and principles behind CfE are genuinely and fully realised and can support:

- coherence and consistency within Scottish education;
- a broad, balanced, relevant and engaging curriculum;
- a relevant and resilient education system;
- a system where equity, equality and wellbeing are embedded;
- a system where teachers are able to operate as professionals/with agency;
- an inclusive education system;
- effective leadership at all levels.

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