

Education and Skills Committee

10th Meeting, 2020 (Session 5), Wednesday 6 May 2020

Additional Submissions pack

Welfare of vulnerable children during the coronavirus outbreak

The Committee has received further submissions from the following key organisations. The submissions received can be read below.

- [Barnardo's Scotland](#)
- [EIS](#)
- [Kinship Carers Coalition](#)
- [NASUWT](#)
- [Salvesen Mindroom Centre](#)
- [UCU Scotland](#)

Barnardo's Scotland

Key points

- Barriers to the use of School Hubs need to be overcome and clarity is required as to what support is available to those children for whom Hubs are not appropriate.
- Children and young people remain at risk of 'hidden harm' during this crisis. It is crucial that statutory and third sector bodies continue to work together to ensure no child or young person slips through the net.
- We would like to see a strong statement around the importance of Health and Wellbeing interventions delivered through the Attainment Fund.

Use of School/Education Hubs

Eligibility

Feedback from our Barnardo's Scotland services is that relatively low numbers of children and young people from the most at risk groups are currently accessing Hubs. This is backed up by Scottish Government's own statistics. ¹

Scottish Government guidance defines "vulnerable" children and young people as including: being on the child protection register; looked after; on the edge of care; being eligible for Free School Meals; having complex additional support needs; being affected by poverty and deprivation. ² But the guidance suggests not all such children will need support via the Hubs, and leaves decisions about eligibility and levels of provision to be interpreted locally. This means there has been lack of clarity and inconsistency. In some areas of high disadvantage if all 'vulnerable' children attended there would be too many present to maintain appropriate social distancing. Clearly there must be some form of referral criteria but this must be clearly expressed and interpreted consistently.

Stigma

The term 'vulnerable' has also caused difficulties, as some families don't want to be identified as having social work involvement. Barnardo's services report families consider there is a stigma attached to putting their children in the Hubs as it implies they are not coping.

¹ <https://www.tes.com/news/childrens-commissioner-concerned-hub-school-figures>

² <https://www.gov.scot/publications/coronavirus-guide-schools-early-learning-closures/pages/vulnerable-children/>

Unfamiliarity

In a time of such anxiety and uncertainty many children and young people don't want to go to schools that aren't their own. Some primary aged children are only being given the option of a Hub in a secondary school, potentially not located nearby and with unfamiliar staff they have never met. We are living through an unprecedented crisis with high levels of personal and community trauma being experienced, now more than ever our most vulnerable children and young people need safety and stability from the services set up to support them. Practice which has worked better has been where schools send personalised invites, where the setting and staff are familiar and where consideration is given to travel arrangements and distance from the family home.

An example shared by one service was where children in the same family were all invited to the local provision but then after some behaviours which presented a risk, including absconding from the setting, one sibling was sent home. The young person said going to a Hub which wasn't his normal school left him feeling unsafe, so he didn't want to stay there.

All of the barriers outlined above mean many vulnerable children and young people are not in direct contact with education services but are receiving learning support virtually. Alongside our statutory colleagues **we are concerned that a lot of vulnerable children are not being seen by anyone outside their household.** We also know many children and young people could benefit from the routine of getting up and out of the house and engaging with others, therefore we are encouraging families to use Hubs wherever possible. Where that is not happening, wherever we can, we are reaching out to children, young people and families, offering practical and emotional help and support over the phone, doorstep visits / drop-offs and socially distanced contact in the community when assessed as safe and appropriate to do so.

We have also started to explore what additional alternative provision may be required for vulnerable children who are not attending the Hubs, and one of our Edinburgh services has just set up provision from our base to try and meet the needs of children we know require bespoke support.

Child Protection and welfare

Hidden harm

Child protection issues are being frequently raised by Barnardo's frontline workers. Children who are staying at home rather than using Hubs are unfortunately at a greater risk of abuse and hidden harm, as the lack of normal daily contact with statutory workers such as teachers and social workers means that there are fewer opportunities to spot and address signs that harm is taking place within the home. We are providing support to many families who are self-isolating, making it even more difficult to keep in contact and check in on their wellbeing. Other organisations such as Scottish Women's Aid have already raised very pressing concerns about levels of Domestic Abuse and we would echo those concerns from the perspective of Barnardo's services.

"We are aware of two families where an ex-partner who was previously abusive has moved back into the family home to help care for the child. While we do not know that abuse is happening now, the current situation would make abuse easier

to cover up and limit ability to escape or seek support. It could also be triggering for a child who has witnessed abuse for this carer to move back in”

As Barnardo’s staff are not readily able to “enter the world” of children and their families at this time it is difficult at times to know how they really are when we would pick up lots more cues during the normal work we would carry out.

As one Barnardo’s worker put it:

“Covid-19 can act like a bouncer, restricting access & limiting crucial safeguarding information.”

Some of our services have noted a general delay in Child Protection core groups and case conferences taking place which is causing anxiety for families. Supervision orders can now be in place for longer periods due to these delays meaning that there is less opportunity to discuss emergent child protection issues if children are still at home, or to return children home if a risk has been managed. Our services also report that general guidance appears to suggest “essential visits” only are to take place, but this may be understandably open to interpretation.

Ensuring the voice of the child remains central to all decisions made about them and for them is essential. Our experience is that practice is patchy at the moment in terms of involving children and young people, with an understandably heavy reliance on digital means of communication.

Older children and young people

We also aware that there is significant pressure on families of teenagers where relationships are already fractured, families are struggling to support teenagers to adhere to lock down measures and avoid a fine. This is also a very real concern for our services supporting care leavers and care experienced young people. We know of young people who have already been fined for breaching lockdown and this will create further issues in the long term if these can’t be paid. These kinds of situations are rarely considered within the child protection arena, usually as a result of the age of the young person, however we believe these are child protection issues and ones which will have significant impact as this lockdown continues.

Pupil Equity Funding

Like many other Third Sector organisations, Barnardo’s Scotland currently receives funding through the Attainment Scotland Fund to deliver health and wellbeing interventions across our education estate. Ordinarily, at this time of year we would be negotiating with individual Head Teachers and Local Authorities about their plans for the coming year. However, in the current crisis the focus of all staff is, rightly, on meeting the needs of those children and young people who are at greatest risk. We have adapted our models of service delivery in partnership with our statutory colleagues across the 400+ schools we are working with to ensure we maintain relationships with families who might be struggling at this time.

We have a major concern that the current level of uncertainty across our Children’s Services system may result in schools deciding not to commit to the continuation of existing contracts with Third Sector providers. Much of our Pupil Equity Fund (PEF) work is due to end in June 2020 which limits the time available to put contracts in place for the new school year. Without an urgent, clear commitment that our PEF work will be extended beyond this date we may

need to make a significant number of our experienced, skilled, family support workforce redundant at the very point when they are most needed.

Barnardo's Scotland is requesting that the Scottish Government give consideration to ways in which the work currently delivered by a range of Third Sector providers in education settings can be sustained. We would welcome a clear statement from the Scottish Government to Local Authorities and school leaders that they should be honouring current contractual arrangements and, wherever possible, committing to continuing contractual arrangements with the Third Sector into 2020/21. This would be in addition to the very welcome announcement that Pupil Equity Fund allocations have been confirmed for the next 2 years to provide more certainty to schools and Head Teachers. ³

Moreover, we would also welcome a clear and unequivocal message that health and wellbeing interventions delivered through the Attainment Challenge Fund are essential in ensuring we are able to meet the inevitable increased demand for support from children and young people on return to education settings as a result of the severe upheaval, distress and potential trauma they will have experienced during the pandemic.

This is the most challenging context Scotland's national education system has ever had to navigate. It is not clear when things will return to normal. Inevitably, the impact of lockdown will have significant implications in particular for our most disadvantaged children. We want to do all we can to mitigate this impact and provide ongoing support to those vulnerable children who stand to suffer the most. In this context, clear leadership and direction from Scottish Government is more necessary than ever.

Nicki Lawrence – Policy and Public Affairs Officer

³ <https://www.gov.scot/news/pupil-equity-funding-2/>

EIS

1. The EIS (Educational Institute of Scotland), Scotland's largest teacher union representing over 60,000 teachers and lecturers, is pleased to submit this short paper to the Education and Skills Committee of the Scottish Parliament in advance of the Deputy First Minister's appearance before it.
2. Events of the past few weeks have moved rapidly, particularly in the period following the announcement of school closures and the introduction of lockdown arrangements.
3. Teachers and lecturers are committed to the children and young people we teach and support. Schools and other educational establishments responded to the lockdown rapidly. These responses showed the resilience and professionalism of teachers and lecturers to respond creatively and effectively to closures. The move from learning in schools to learning at home has necessitated a massive and immediate development and implementation of online teaching materials to all pupils and students – followed up by responding to pupil work and parental queries on various online platforms. For many teachers and lecturers, these actions have been carried out whilst exercising their own responsibility as parents or carers.
4. Many teachers and other educational staff have volunteered to staff Hubs and nominated schools to support provision for children of key workers and vulnerable children, as a consequence of being defined as key workers themselves. Others have worked to provide remote learning opportunities for pupils and, indeed, some have combined both roles.

Supporting Vulnerable Pupils

5. The issue of supporting vulnerable pupils has been a significant challenge across the country.
6. The EIS view is that councils, schools and staff have responded strongly to address the identified needs in this area. The fact that volunteers to staff the Hubs has been well in excess of the actual need, is testimony to the commitment of teachers to support the most vulnerable of our pupils.
7. It is worth citing also, the strong leadership which has been shown from Headteachers and Deputies in the running of the Hubs.
8. The EIS cites examples of effective practice below:
 - i. Comprehensive multi-agency strategies being drawn up by Local Authorities and 'Best Practice' advice issued to schools, Hubs and centres, utilising expertise across relevant disciplines such as Psychological Services.
 - ii. Strong focus in Hubs on pastoral care role with staff keeping communication logs and reporting any concerns to the HT.

- iii. Detailed attendance logs with staff continuing to be alert to child protection concerns and reporting such in the usual way.
- iv. Schools and centres identified vulnerable pupils: CP/LAAC/Kinship/HWB or SEB concerns.
- v. Ongoing multi-agency team approaches considering and then reviewing children identified for additional support.
- vi. SMT/Pastoral support keeping in touch with most vulnerable pupils. Social work support continuing.
- vii. Childcare provision for children under 3 years of age arranged for the families who most need it.
- viii. Although uptake has not been as high as anticipated, it appears that the level of engagement and support for families where children at risk is increasing.
- ix. Google classrooms have been set up by pastoral care teachers specifically for vulnerable young people.
- x. School Hubs working beyond education and childcare e.g. food parcels and broader well-being provision, e.g. basics such toothpaste and brushes etc. have been picked up from schools through invitation.
- xi. Special learning resources have been prepared for kids without internet access.
- xii. Hubs are providing lunch for all who attend, both adults and pupils.
- xiii. Parents of pupils with Free School Meal entitlement are being given direct payments.

9. The EIS sets out areas of concern below:

- i. The single biggest concern would be around the relatively low level of uptake from families of vulnerable children to the HUB provision, unlike uptake from children of key workers. (Almost by definition some of our most vulnerable students normally find it difficult functioning in school when everyone is in, so it may not be a surprise that their attendance at hubs is low.)
- ii. This, in turn, creates a challenge around engaging with the disengaged, with some pressure on teachers/staff in some schools to phone from their own homes rather than through the agreed protocols around secure digital platforms.
- iii. Problems with lack of Wi-Fi/tech for many families, making engagement with none-HUB attendees more difficult
- iv. Specific challenges around pupils with ASN in mainstream hubs – ASD/ADHD, in particular e.g. challenges of social distancing when they are struggling with conditions.
- v. In most areas, local authorities have worked with the professional associations, through LNCT arrangements, to agree on support provision and ongoing provision but this was not universal, leading to unnecessary difficulties in some areas
- vi. Where complex needs provision has remained open, there have been issues around PPE provision (or rather lack of same), cleaning regimes, and ongoing risk assessments with staff worried about the inability to socially distance as a result of the additional support needs of the pupils. Although most staff in the Hubs have

volunteered to support this provision, in ASN, as a consequence of the need for specialised support, this has not been the case, generally. PPE provision remains an unresolved issue in terms of proposed SNCT guidance.

General Comments Regarding Educational Aspects of the Covid-19 Lockdown

10. The role of the Scottish Government in 'education' is to set national education policy for schools and, to a lesser extent, colleges. The Scottish Government is also responsible for the national response to the Covid-19 pandemic in Scotland and has, therefore, the powers to not only close and open schools but also to determine how schools should open.
11. The EIS believes that the Scottish Government was right to close schools when it did to safeguard the health and safety of pupils, staff and wider society.
12. The EIS supports the way in which the Scottish Government and its agencies have worked inclusively with regards to the Education sector during the lockdown and acknowledges that they have listened to EIS views.
13. The EIS has worked with the Scottish Government and COSLA to deliver SNCT agreements for teachers. The EIS has joined the National Qualifications Contingency Group at the SQA, which has met twice during the Covid-19 crisis period. It has also met the SQA to discuss assessment concerns in colleges. The EIS has engaged with Scottish Government's Education Recovery Group (and sub-groups) and with Ministerial groups dealing with the FE & HE Education. The EIS has also engaged with STUC-Scottish Government meetings on Covid-19.
14. The EIS welcomes the fact that the Government sought to work in a partnership approach with trade unions with respect to the Covid-19 pandemic and seems to have encouraged its agencies to do so too. The EIS hopes that this approach will be maintained and that the teacher voice will continue to be listened to in future decisions around education. Such working must be informed and the EIS is clear that the Government must be open to sharing its data about re-opening schools and supporting the 'resetting' of education after the pandemic.
15. The EIS view is that the approach of COSLA in responding to the Covid-19 lockdown could be improved. Its ability to negotiate and sign off collective agreements seems ponderous and has delayed agreements that could have provided succour to teachers more timeously. Furthermore, COSLA seems to be frustrating the development of national procedures (e.g. supply staff), resulting in different procedures in each local authority.
16. There are several aspects of national education policy that will need to be developed in the short term, such as the process by which schools will be re-opened and how they will operate over the next academic year. Challenges include; how schools can be opened safely for pupils and staff, the nature of the phased or incremental opening, development of blended learning to complement in-school learning, targeting pupil support, supporting

pupils' health & welfare, supporting pupils' education needs, staff capacity, cleaning, re-profiling classrooms, timetable issues, assessment procedures and implementing social distance regulations. The EIS would expect the teacher unions to be closely involved in these areas to deliver the best possible strategies for the sector.

17. The EIS will not support schools re-opening until it is safe to do. We would highlight the very real risk of creating a spike in the transmission of the virus by a premature opening of schools. The EIS believes that there must be an effective "test, trace and isolate" capacity established to ensure that the rate of infection remains under control. The testing part of this is important but having the resources to trace and then isolate ill people is crucial to making it work. We would argue that reopening schools before such a regime is in place, would be catastrophic to the rate of infection.
18. This process would need to sit alongside a full risk assessment around the operation of school buildings to ensure that they are compliant with all H&S requirements, including social distancing. This will mean that as schools cannot reopen as normal, a phased return will be required and priorities established around attendance, which is likely to be part-time for most pupils.
19. As part of the establishment of priorities, we would stress a third point – which is the need to consider equity. Children from poor and challenged backgrounds will undoubtedly have suffered more than others during the period of lockdown. Such vulnerable children will require significant additional support as we move slowly back to a more settled situation. We need to recognise, also, that potentially all children will have suffered a level of trauma as a result of the COVID 19 pandemic and we would urge that the initial focus when schools reopen, in any capacity, should be on the health, well-being, and emotional resilience of our students.
20. Finally, the EIS is clear that the Government, COSLA and Local Authorities should respect existing collective bargaining machinery such as SNCT. The EIS believes that the existing collective bargaining machinery in the college sector (NJNC) also needs to be supported by the Government to ensure it can support the college sector.

Kinship Carers Coalition

Who We Are:

We are a group of organisations with a history of supporting kinship carers and young people in kinship care. We have come together to share ideas, resources and support for the many households across Scotland who are working through the financial, emotional and practical challenges of kinship care and the response to COVID-19.

In the last six weeks, with the support of the Scottish Government, we have dispensed advice, support and financial assistance to over 100 families.

This brief is supported by: Who Cares? Scotland, Nurture Scotland, Big Hearts Community Trust, Citizens Advice Scotland Kinship Care Service, Children's Health Scotland.

Kinship Care:

Kinship carers look after children who can no longer stay with their birth parents. Under the Looked After Children (Scotland) Regulations 2009, a kinship carer is defined as "a person who is related to the child (through blood, marriage or civil partnership) or a person with whom the child has a pre-existing relationship". There is, however, much confusion around the area of kinship care with many Local Authorities dealing with carers differently. There are differences in financial payments, assessment processes and support packages which in turn leaves kinship carers very confused and in some cases unsupported.

The Scottish Government's 2020 Social Work Statistics show that 4,064 of the 14,015 children who are looked after are in kinship care. It is estimated that a further 13,000-15,000 young people live in "informal" kinship care, with no statutory access to support.

Kinship carers are resourceful, resilient and determined to do their best. They are helping children who have experienced trauma and challenging circumstances cope at this very difficult time. We have heard from families who are making the most of the opportunity to bond and stay still, just as we have heard from people who are concerned about managing escalating behaviour. Our mission is to ensure that they get the support that they need, when they need it, during the Coronavirus response and beyond.

COVID-19 Background:

In March 2020, Scotland entered a Government imposed, countrywide, lockdown in order to prevent mass spreading of Coronavirus (COVID-19). Our organisations recognised the significant impact these measures - while unequivocally necessary - would have on kinship carers and Care Experienced people. With the support of the Scottish Government, we created a forum that meets weekly to understand how measures are impacting kinship carers and their families.

Emerging Themes:

FINANCE:

Kinship carers have reported that the children in their care have been impacted by the disruption in their routines and many have expressed the impact of digital exclusion that has been felt. Kinship carers have also shared that the impact of school closures has meant that daily expenditure has increased, and this has resulted in poverty being exacerbated in some cases. A common theme that has emerged from calls to the helpline have related to Kinship carers gathering arrears on utility meters and other monthly bills as they have to keep the children entertained inside the house during the day. Often this has meant that utility meters have run out and other bills have gathered arrears. A

shortage of money has also left some families struggling to get food that is nutritionally balanced and what the children they look after expect.

SCHOOL PLACES:

Another theme which has been reported frequently is that often, Kinship carers across Scotland have experienced discrepancies in availability of school places during lockdown. Some have been offered places; some have not; and some have been refused. Some carers have also told us that conversations about school places seem contradictory to the strong advice about the health risks of leaving home.

We have heard that it is not clear, to carers or local decision makers, whether the Scottish Government's definition of vulnerable includes children in Kinship care – and whether this would extend to both formal and informal placements. Furthermore, kinship carers have shared that it is unclear who is responsible for deciding the allocation of school placements, with different processes in place in different areas. This approach has often led to implications where children in informal placements have been overlooked and at times has led to some kinship carers being unsure how to engage. Some carers have told us that they are reticent to ask support, for fear of being judged as not coping.

Emerging Recommendations:

Children in Kinship Care placements should be able to take up school places, if the family thinks that it is the right thing for them to do. Having this choice would support Kinship carers as lockdown continues and they should remain eligible for first entitlement when these measures begin to be relaxed.

Questions Committee Members May Wish to Consider:

- Can the Scottish Government ensure that children in Kinship care, both in formal and informal placements, are prioritised in school placements during the remainder of the COVID-19 pandemic?
- Has the Scottish Government considered what additional support will need to be put in place for children in kinship care so that when schools return, they can resume their education with the relevant support already in place?
- The UK Government recently announced that school laptops will be bought for all “disadvantaged children preparing for exams next year and care leavers.” It was also announced that internet routers were needed to avoid digital exclusion. What plans does the Scottish Government have to ensure that Care Experienced people - particularly those in Kinship care placements - are not digitally excluded from education?

NASUWT

1. The NASUWT welcomes the opportunity to comment on the exam diet and school closures.
2. The NASUWT is the largest UK-wide teachers' union and the fastest growing teachers' union in Scotland, representing teachers and school leaders in all sectors of education.

Approach to certification – session 2019/20

3. The NASUWT noted with interest the evidence shared with the Committee by the Scottish Qualifications Authority (SQA) at the session held on 1 May 2020.
4. The NASUWT recognises that the partial closure of schools from 23 March 2020 was driven by a clear public-health imperative. A consequence of this decision has been that examinations and other assessments scheduled to take place this summer have now been withdrawn.
5. The NASUWT is clear that the qualifications associated with these examinations are of critical importance for students, given their function in accrediting learning and as a gateway to future employment as well as higher and further education. It was, therefore, entirely appropriate for the Deputy First Minister to direct that SQA should develop an alternative certification model. It was also entirely appropriate for the model to be based on the principles of:
 - fairness to all learners
 - safe and secure certification of qualifications; and
 - maintaining the integrity and credibility of our qualifications system, to “ensure consistency both across the country and in comparison with previous years”.
6. However, it is essential that the exceptional arrangements required to give effect to this direction are proportionate and manageable for centres and their staff and reflect the fact that the education system and its workforce are operating in extraordinary circumstances.
7. For this reason, it is imperative that the SQA engages meaningfully with the workforce and its legitimate representatives. Such engagement not only ensures that the SQA can benefit from the experience and expertise of practitioners in the development of its policy but also ensures that the highest levels of public and professional confidence in the steps the SQA is taking can be maintained. While recognising the operational independence of

the SQA, the NASUWT would urge the Committee to highlight this critical consideration to the Scottish Government and recommend that it uses all means at its disposal to secure more effective communication by the SQA with the education workforce. It is clear to the NASUWT that more needs to be done to ensure that the SQA's decision-making, albeit undertaken in extremely challenging circumstances, is guided more effectively by the interests and concerns of those working in schools and that the workforce is made more aware of the reasons underpinning the SQA's decisions.

8. For example, on 20 April, the SQA published information for centres on producing estimates and some related FAQs. On evidence to support the production of estimates, the SQA's information stated:

When determining an estimate, you should firstly gather and review the key evidence you have for each candidate. For example, prelim or mock papers, additional tasks or assignments, performance or practical evidence.

9. Much of this evidence is located on school sites and requires a journey to school to be collected. However, where school sites have remained closed to staff and pupils for all or most of this period, a serious risk was created that this guidance could have been interpreted as a direction to enter such sites to collect materials when it would have been unsafe to do so. School sites that have been closed for a significant period of time because they have not been required to support local hub arrangements require detailed and careful steps to be taken to ensure that they can be accessed safely.
10. This guidance created significant and understandable alarm for many teachers. While the NASUWT was able to issue guidance to members on the health and safety considerations associated with entering school sites that have not been used for a significant period, alarm would not have arisen had the SQA consulted with the workforce and its representatives more effectively prior to issuing its information for centres.
11. The Committee noted in its engagement with the SQA the significant levels of concern expressed by teachers about aspects of the extraordinary certification arrangements for the 2019/20 session. The NASUWT is clear that teachers accept that the significant challenges associated with certification in current circumstances means that there are no easy solutions to ensuring that certification reflects the three core principles articulated by the SQA to the Committee.

12. The Union accepts that finding solutions that give effect to these principles is a challenging undertaking and that managing tensions between them is difficult. However, it is important that these challenges are explained clearly and that the teaching profession is taken into the SQA's confidence, particularly when it is being asked to undertake difficult tasks in highly pressurised circumstances.
13. While the SQA's evidence to the Committee was helpful in that it set out in public for the first time many of the considerations that the Authority is taking into account, it also continued to leave a range of unanswered questions about aspects of the extraordinary arrangements that give teachers grounds for concern. There are three concerns in particular that the Committee may wish to raise with the Deputy First Minister.
14. First, the SQA has insisted that teachers must not only provide estimated grades for all candidates but must also place these estimates within refined bands and provide a rank order within each refined band. This is a complex and highly unusual task that places significant demands on teachers and requires them to assess students in a way that is not consistent with the practices they are normally expected to adopt. While it is recognised that estimation is a long standing feature of the qualifications system, the context within which estimation is taking place is very different from that teachers will have encountered previously.
15. As a minimum expectation, the SQA should set out in detail why this information is required and the purpose it will serve in securing the three principles noted above. However, although questions were asked by members of the Committee about the ranking of candidates, the uses to which this information will be put have not yet been explained satisfactorily by the SQA. More broadly, the arrangements for quality assurance of the estimates and rankings has also not been set out to date with sufficient clarity.
16. Second, teachers are concerned to ensure that all possible steps are taken to minimise bias in certification for 2019/20. It should be noted that the SQA and the Scottish Government are both subject to the Public Sector Equality Duty (PSED) and the relevant provisions of the Equality Act 2010. It is helpful that the SQA Academy's Estimates guidance makes clear in estimating grades, teachers should seek to ensure that they use their professional judgement to provide objective and accurate predictions and give effective consideration to the need to ensure that these estimates are free from bias against those with protected characteristics. It should be noted in this context that the

evidence used to form these judgements has been generated in settings that are themselves subject to the PSED and equalities legislation.

17. However, it is not the responsibility of teachers alone to address issues of bias in the certification process. The SQA and the Scottish Government more generally have a legal duty to ensure that they take all reasonable steps, notwithstanding the challenges of current circumstances, to ensure that grades are awarded in a way that is not biased. This duty will be discharged by the SQA in large part through the methodology it will use to determine final grades. It is, therefore, disappointing that the SQA has yet to publish an Equality Impact Assessment and has progressed actions in respect of certification this summer without reference to such an Assessment. It will be important to ensure that teachers, candidates and their parents can be assured that while centres are taking the action they need to take to ensure equity and rigour in their assessments, the SQA is also discharging its responsibilities in this respect as fully as possible.
18. Third, teachers are concerned to ensure that there is a fair, manageable and transparent process for candidates to appeal against the grades they eventually receive. The absence of any detailed information in this regard is a matter of genuine concern for teachers and it is important that this process is developed in consultation with the teaching workforce and its representatives as soon as possible.

Dr Patrick Roach

General Secretary

Salvesen Mindroom Centre

Response to Education and Skills Committee May 2020 Introduction – our expertise in additional support needs

Salvesen Mindroom Centre has 20 years of experience of supporting families living with learning difficulties and additional support needs. Learning difficulties arise from conditions including autism, ADHD, dyslexia, Developmental Co-ordination Disorder (DCD) and Tourette syndrome. Those conditions most commonly co-occur, so the level of need for the children is complex and often intersects with mental health difficulties such as anxiety and depression. The term vulnerable is appropriate for many children with learning difficulties, therefore.

We work with parents, carers, children and young people up to the age of 25, and professionals. Our highly skilled, multi-disciplinary team works to support, inform and empower families: we offer advice, information and practical 1:1 support throughout Scotland. We have a unique partnership with researchers and practitioners in all fields of neurodiversity at the Salvesen Mindroom Research Centre at the University of Edinburgh. The evidence we offer below comes directly from our team of Family Advice and Family Outreach Specialists and represents the lived experience of families across Scotland. We have recent engagement in 31 of 32 Scottish local authorities.

We hope it is most helpful to directly respond to the questions that you pose as follows:

ADDITIONAL SUPPORT NEEDS

Questions: What level of provision exists for children and young people with complex ASN in school/childcare hubs? • Are their appropriate places at school/childcare hubs or in private nurseries available? • What contact and support is being received by children and young people with additional support needs and their parents/carers where they are not attending school/childcare hubs?

Our response:

- Local authorities are all offering different responses, so the situation is very varied: some are putting in extra service provision while others are performing poorly.
- Families have been told their local Hub does not have the capacity to support their child's complex needs.
- One family was offered a place at a Hub, but also received advice that their child/young person may not cope with the level of change, lack of friends, usual routine etc. within the Hub. In that situation the family opted to keep their child at home.
- Many parents have had no contact from school, unless the parents themselves have initiated contact.
- Others with school age children are receiving no regular communication.
- In some cases, plans for educational psychologists or ASL staff to keep in contact have not been followed through, increasing the level of anxiety.
- One family reported that the home-link service has kept in touch but has been unable to offer an alternative to the home visit service that would ordinarily have taken place.

- We have examples from different local authorities of secondary school pupils, with identified ASN, who have been struggling with the lack of differentiation in terms of the online work schools are providing.
- One family is in communication with school regarding transition only.
- More positively –
 - A parent has been receiving a weekly call from school.
 - A parent is receiving weekly contact from the ASL tutor and work is being shared.
 - A child is attending Falkland House School and receiving part-time education, which is their usual timetable.

CHILD PROTECTION AND LOOKED AFTER CHILDREN

Questions: Do you have any insight into how the children and young people are being identified who would best suit attending an education/childcare hub and are places available? • How is their attendance being ensured and what steps take place if they are not in attendance? • How is contact in the home, including monitoring wellbeing, continuing in light of social distancing? • Are you aware in your work of an increased demand for support, such as an increase in child protection referrals? • What kind of help from local authorities, schools or other service providers would kinship carers, foster carers and parents of vulnerable or looked after children require to support their children and families in this period?

Our response:

- As above, local authorities are all offering different responses, so the situation is very varied: some are putting in extra service provision while others are performing poorly.
- As we note above, we do not have evidence of families being proactively contacted to secure attendance at a Hub. Instead, we are more aware of families making contact with the service provider either direct, or with our support.
- One child with complex needs, previously receiving a high level of support through education and social work has received no support since the lockdown. An educational psychologist has now agreed to look into the case. The caseworker has set out the case here –
 - The social care provider notified the family by email that they would no longer be providing support. The provider is only supporting those who are reliant on support to take medication and eat. The only other provider in the area has stated they don't have capacity to support the young person. Social work services have said it would not be possible to use the allocated budget for other purposes, such as direct payments, as this would require a new assessment and a discussion at panel. All of these panels have been suspended in the local authority in question.

The local authority is providing hub support for children of key workers and children on the child protection register. They are not providing support for children with complex needs. Social work has reportedly spoken to education regarding this and has been told there is no available staffing and no demand for this service. This young person has a clear need for it. The withdrawal of

support is having a significantly detrimental impact on their wellbeing. The family can be named if required.

- Another child had an allocated social worker who left prior to lockdown. Allocation of a new worker has been delayed as a result of covid-19. The family had been told this child was a priority due to their behaviour and mum expecting a baby in the coming weeks. They had agreed the assessment would be completed and some support provided prior to the baby arriving. This has not happened. Social work has reported that they are only managing cases where there are immediate child protection concerns.
- In another family, a child has been discharged from inpatient mental health care as the family were given the option of him returning home or being transferred to a different hospital without the opportunity for visiting. His mental health has deteriorated following discharge as CAMHS have been unable to provide direct support and social work have not allocated a worker.
- In other cases, such as awaiting the allocation of a new social worker, families have been told that there is only a limited service available.
- Accessing SDS budget has also been problematic.
- More positively –
 - A social worker has done shopping for a family, provided letters of support and funding for technology
 - In other instances, social care support has kept going
 - A young person in supported accommodation who we also support has been well protected and is coping well.

Salvesen Mindroom Centre
01/05/20

UCU Scotland

Briefing for education and skills committee – evidence session with John Swinney MSP, cabinet secretary for education and skills

The University and College Union (UCU) is the largest trade union in the post-16 education sector in the UK, representing over 120,000 academic and related members across the UK, and is the largest union in the higher education sector in Scotland.

UCU is pleased to provide this evidence to the committee ahead of its evidence session with the cabinet secretary for education and skills.

The financial effect of Covid-19 on higher education

The current Covid-19 crisis is having an unprecedented impact on the higher education sector. Whilst it is difficult to predict the medium and long-term impacts what we do know is the situation is looking incredibly serious. Forecasting what the future impact will be on higher education is an inexact science and the initial estimates and forecasts have varied and have been focusing on different income stream issues.

Universities Scotland in its briefing for MSPsⁱ of 9 April 2020 called the crisis an existential challenge to the sector and cited forecast losses of £78m in the current academic year from loss of student rental income, fees and the loss of commercial income such as summer accommodation rentals. In addition, Universities Scotland estimated (as a mid-range estimate) a loss of 50% of international students coming to study in Scotland for the 2020/21 academic year and reported that such a decline would lead to an income loss of £435m. Given that the Scottish Government's annual funding to the sector is just over £1bn, to lose the equivalent of almost half that amount in a single year would be catastrophic to our universities. Their briefing also pointed out that the loss in students is multiyear, with an international student not coming to study in what would have been their first year in 2020/21 also not paying fees in the subsequent three years either. We're aware that HEIs are being asked to model scenarios on a 50% reduction in new international students starting in 2020/21 academic year, on top of a 30% reduction in existing international students returning to study.

Universities Scotland's document was an important first set of estimates. As the crisis continues it is important that future forecasts explain the assumptions upon which they are based. UCU commissioned researchⁱⁱ from London Economic on the impact on the higher education sector across the UK which showed (UK figures) a loss to the sector of £2.5bn, the loss of 30,000 directly employed university jobs and an additional 32,000 associated jobs. The London Economic report focus was on students and tuition fee income.

In Scottish terms the report forecast that the sector would see in Scotland would see a loss in income of £251m.

The London Economic report didn't consider losses from commercial activities such as student accommodation provisions, commercial income, or research income, and instead focused on the loss of teaching grant and numbers of students: UK, EU and international. The loss of international students was estimated based on the reduction in numbers of international students coming to UK higher education institutions during previous recessions and then forecasting what current World Bank estimates of the size of the coming economic decline will mean for the number of students coming to study in the UK. The loss of UK students is based on early research carried out by UCAS on the intention of student applicants for the coming academic year and their intention to seek deferrals as a result of Covid-19.

Clearly extrapolating assumptions made for the whole of the UK to fit Scottish (and other component UK) higher education systems has limitations, such as the possible impact of the different funding regimes on student intention. UCU has commissioned further research into the impact of the current crisis for Scottish higher education. As soon as that research is complete we will be very happy to share it with the committee.

What this means for universities

Beyond the headline figures of millions of pounds of income being lost from Scottish higher education, it is worth considering what this will actually mean to people's careers and livelihoods. Already a number of universities have been in communication with staff about the likely impact. Measures announced so far include redundancies for fixed term contract staff and casual hourly paid staff, where contracts are not renewed, and the lockdown and dire economic climate means there is no prospects of redeployment, securing new grant funding, or other mitigation of redundancy. Employers are also announcing that they are canceling promotions; imposing pay freezes; restricting research leave; suspending new appointments and halting recruitment; freezing re-grading; and furloughing staff whose funding is not dependent on public money.

As yet, no institution has announced mass redundancies but, given that sustained real terms funding cuts to the sector in Scotland has led to regular redundancies prior to this crisis, it is inconceivable that this will not come. The UCU London Economic research estimate 30,000 directly employed job losses UK wide with the number more than doubling with associated jobs being lost.

Additionally, members of the committee will remember the short briefing UCU sent on 24 April 2020 detailing the situation at the Kaplan run Glasgow International College which provides international access courses for Glasgow university. Staff there, often tutors on highly casualised and insecure contracts, learnt (some with less than four days notice) that their contracts were to be ended. Kaplan insist that the international college is not being affected by

Covid-19 or any forecast lack of international students, and have therefore refused to put workers on the UK government job retention scheme; leaving staff seeking employment in a acutely difficult, if not impossible, job market.

Why higher education matters

Clearly there will be other sectors of the economy equally affected by the current crisis and who have seen, like the hospitality sector, their income not only cut but decimated. Our universities are not seeking special treatment or additional funding simply to protect jobs or their standing. Rather we need to protect the sector because universities have an essential three-part key role in driving the country out of this crisis.

First, and of most importance at the present is the specific role of higher education in fighting the virus, providing labs for research and testing, finding possible cures and treatment for those infected and developing vaccines, protective equipment, and other public health strategies. It is universities that are driving this research, see for example recent examples in Scotland from St Andrewsⁱⁱⁱ and Edinburgh^{iv}.

Similarly, it is our universities that are educating the nursing staff, health care professionals and doctors who work in the NHS day in and day out. The hugely inspirational reports^v of nurses and doctors leaving their studies early to join the fight against Covid-19 and save lives is testament both to their personal dedication, but also to the staff in our universities who have equipped them over years of teaching for the job they are now carrying out. Indeed, university medical staff are also volunteering on the frontline in our NHS.

This was a point well made by the minister for further education, higher education and science when commenting on the FT article^{vi} about the funding required to sustain the higher education sector and the reticence of the UK treasury to respond positively, he wrote that '... we are relying on our universities to deal with COVID19 so it's important we work together to help them through this. And let's not forget that our scientists have shown that they are key workers too'.^{vii}

Also important is the role that universities play in their communities. Universities are often major employers, indeed sometimes the major employer, in their town or city and offer reasonably paid, skilled employment that bring people to live locally. This has a positive impact on the local economy, local business and council tax for local authorities. We know that a percentage of 60,000 UK job losses will occur in Scotland. And that they may include small communities where the university provides good jobs where losses will be deeply felt by households and local businesses, for example the Crichton campus of Glasgow University in Dumfries or the SAMS campus of UHI near Oban. Likewise in our cities, large university employers like Glasgow, Dundee and Edinburgh universities are major employers whose presence is widely felt across those cities.

The final element of why government need help universities, is that higher education will be a key driver of economic recovery as the country comes out of the current crisis. There is a wealth of research detailing the role of higher education in supporting the economy. From nurturing entrepreneurial skills and spin off companies and SMEs, research and development, and a supply of highly skilled graduates entering the jobs market universities are a key player in building the economy back from the coming coronavirus recession. Universities Scotland's late 2019 submission ahead of anticipated draft Scottish budget reported that the gross value added of Scottish higher education was estimated to be £8bn in 2019.^{viii} Simply put there is no road to recovery that doesn't involve a well-resourced higher education sector in Scotland.

What do our universities need?

UCU has developed a series of asks of the Scottish Government. We recognise the role of the UK government too, and welcome the commitment from the First Minister^{ix} that any Barnett consequentials coming from increased UK government funding would be kept in the sector to mitigate the funding shortfall. We also believe that any additional funding going to the sector should be offered in keeping with the principles of Scottish Government's fair work agenda and that guarantees to this end should be sought by government.

UCU is calling for the Scottish Government to:

- Underwrite higher education by committing to maintaining the income of all higher education institutions at current levels;
- Require institutions to work cooperatively and cross-sectorally to protect the interests of students and local communities;
- Make a public commitment to protect Scotland's universities against closure;
- Ensure access to properly resourced lifelong learning which ensures people of all ages can access the learning they need.
- Ensure that staff working for outsourced companies providing services to higher education institutions receive the same protections as directly employed staff.
- Protect educational capacity by confirming that furlough arrangements will apply to all staff currently employed by universities, including those on insecure contracts, and lobbying the UK government to extend the one-year visa extension scheme being offered to NHS staff to all current visa holders^x

The Education and Skills Committee, the cabinet secretary, and the minister for further education, higher education and science have a pivotal role at this difficult time. UCU Scotland is able to provide further information on the areas raised in this briefing either in writing or at the committee. In particular, we will send on the research mentioned in this report commissioned on the financial impact of the Covid-19 crisis on Scottish higher education once it is complete.

Meantime if there are any queries then please contact Murdo Mathison, UCU Scotland policy and communications officer on mmathison@ucuscotland.org.uk or 07967 503909.

ⁱ <https://www.universities-scotland.ac.uk/briefing-evidence/an-existential-challenge-the-financial-threat-facing-scotlands-universities-as-a-result-of-covid-19/>

ⁱⁱ

https://www.ucu.org.uk/media/10871/LE_report_on_covid19_and_university_finances/pdf/LEreportoncovid19anduniversityfinances

ⁱⁱⁱ <https://www.euroweeklynews.com/2020/04/28/hopes-raised-for-a-cure-by-coronavirus-busting-drug-developed-in-scotland/>

^{iv} https://www.heraldscotland.com/business_hq/18383651.coronavirus-150-edinburgh-researchers-redeploy-develop-covid-19-treatment/

^v See as one example of many: <https://www.uws.ac.uk/news/uws-students-join-nhs-frontline-coronavirus-fight/>

^{vi} <https://www.ft.com/content/dc8e2aa4-1c8f-43b9-99c1-e1f87b369b43>

^{vii} <https://twitter.com/RichardLochhead/status/1253234360502882304>

^{viii} <https://www.universities-scotland.ac.uk/wp-content/uploads/2019/09/US-Budget-request-doc-webready-single.pdf>

^{ix} <https://www.theguardian.com/education/2020/apr/10/uk-universities-fear-huge-budget-holes-as-chinese-students-stay-home>

^x NB since these asks were first publicised on 8 April 2020 the rules around the job retention scheme have become clearer with the SFC publishing guidance on 23 April 2020.