



## **EMPOWERING SCHOOLS: A CONSULTATION ON THE PROVISIONS OF THE EDUCATION (SCOTLAND) BILL**

**Response by YouthLink Scotland, January 2018**

YouthLink Scotland is the national agency for youth work. We are a membership organisation, representing over 100 regional and national youth organisations from both the voluntary and statutory sectors. We champion the role and value of youth work and represent the interests and aspirations of our sector. Youth work is part of the wider grouping of informal and non-formal learning which is known as Community Learning and Development.

Scotland's youth work sector is as rich and diverse as the nation itself. Our sector has a workforce in excess of 75,000 – including over 70,000 adult volunteers. We reach in excess of 380,000 young people in youth work opportunities each week. Youth work has three essential and definitive features:

- Young people choose to participate
- Youth work must build from where young people are
- Youth work recognises the young person and the youth worker as partners in a learning process

The activity, venue, and approaches utilised to deliver this are varied – and include youth clubs, youth projects, specialist or targeted provision, social activism, outdoor learning, youth awards, uniformed organisations, democratic participation, and youth work in schools.

This response has been informed by YouthLink Scotland members, following a membership consultation discussion session in January 2018 and an online membership survey. The response may not reflect the view of individual members of YouthLink Scotland.

YouthLink Scotland has chosen to respond to Part 3 (Pupil Participation), Part 4 (Regional Improvement Collaborative) and Part 5 (Education Workforce Council) of the Consultation.

### **Part 3: Pupil Participation**

#### **Summary:**

**YouthLink Scotland welcomes the inclusion of the requirement for schools to secure appropriate and meaningful pupil participation opportunities. However, this must take account of:**

- **young people's rights as set out in the UN Convention on the Rights of the Child;**
- **the skills and role of youth workers in facilitating participation opportunities in school and the community**

**In addition, YouthLink Scotland advocates for duties on local authorities to:**

- **promote and support community participation and decision-making by young people**
- **utilise the skills and expertise of youth workers in engaging young people in the development of local, regional and national education policy**

**Q11. Should the Bill include a requirement that all schools in Scotland pursue the principles of pupil participation set out in Chapter 3? Should this be included in the Headteachers’ Charter?**

The principles should recognise the need for young people to be provided with opportunities to participate in decision making in their wider community. We would propose that a duty be placed on local authorities to promote and support children and young people’s participation in their community. Currently these opportunities are typically facilitated by youth workers – and we would like recognition of youth work skills and approaches in enabling young people to be part of youth forums, youth committees, youth trustees, or as Members of the Scottish Youth Parliament. Young people’s involvement, learning and volunteering in such roles should be valued and recognised by the Headteacher and the school as a means by which the young people involved are developing themselves around the four capacities of Curriculum for Excellence.

**Q12. What are your thoughts on the proposal to create a general duty to support pupil participation, rather than specific duties to create Pupil Councils, committees etc.?**

We support the general duty but it cannot be the decision of the head teacher alone: we strongly disagree with the statement: *“it is for headteachers as leaders of learning in each school to choose the right model of participation for their learners”*. The duty must state that the model of participation will be mutually developed and agreed between young people and adults in the school community (including the headteacher, parents, youth and community workers). It is the responsibility of the headteacher to facilitate and support the school community to choose the “right model” but also to review its effectiveness and to support the school community to make the necessary changes to the model to ensure it is achieving outcomes and impacting positively on learning, policy, and the wider community.

The key principles must also include commitment to the United Nations Convention on the Rights of the Child; and in particular Articles 12 (right to be heard), 28 (right to education), and 29 (right to education which develops personality and respect for the rights of others).

We welcome the consideration of further duties on local authorities and public bodies to engage young people in the development of national education policy. We would particularly welcome duties if it explicitly recognised the role, skills and expertise of youth workers in facilitating these processes – examples of such practice are already well established within local authorities and supported by youth workers e.g. Highland Council Youth Convenor, Scottish Borders Council Education Committee. However such approaches are time and resource intensive: full consideration should be given to the financial resources available to make this happen.

## **Part 4: Regional Improvement Collaborative**

**Summary:**

- YouthLink Scotland advocates for greater inclusion of local authority youth work services local, regional and national third sector youth work organisations within the RIC
- YouthLink Scotland supports the publication of RIC plans to provide transparency and accountability
- YouthLink Scotland believes that the cycle of planning and reporting should be proportionate to the ability to deliver, and recommends a 3 year planning cycle

**Q13. Should the Bill include provisions requiring each local authority to collaborate with partner councils and with Education Scotland in a Regional Improvement Collaborative?**

YouthLink Scotland advocates for the involvement of youth work services, Community Learning and Development Services and local, regional and national third sector youth organisations within the range of expertise that schools within the regional collaborative will be able to draw upon.

**Q14. Should the Bill require each Regional Improvement Collaborative to maintain and to publish annually its Regional Improvement Plan?**

YouthLink Scotland welcomes the requirement for RIC to maintain and publish a Regional Improvement Plan. We believe that this serves communities of place and interest well, by adding transparency and accountability to the role, functions and performance of the RIC. We do not agree that these should be published annually.

**Q15. If we require Regional Improvement Collaboratives to report on their achievements (replacing individual local authority reports), should they be required to report annually? Would less frequent reporting (e.g. every two years) be a more practical and effective approach?**

The amount of time and resource invested in to planning and reporting must be proportionate to the ability to deliver and embed change. Such processes can be a significant drain on the resources of third sector partner organisations who do not have dedicated roles and personnel for planning and reporting, or for local authority youth services where time would be best served working directly with young people. We would support a model of a 3 year planning cycle with an interim progress report which could also identify any deviations or changed priorities from the original plan.

## **Part 5: Education Workforce Council for Scotland**

**Summary:**

**We are cautiously optimistic regarding the formation of the proposed EWC and advocate for:**

- **Equal and mutual recognition of youth workers with our teaching colleagues and others who may join the EWC in the future**
- **Clarity and increased recognition of non-formal and informal learning as part of Scotland's education system**
- **Collaboration with members of the proposed EWC in the development and delivery of its aims and functions; including in the setting and reviewing of standards; setting of membership criteria and fees**
- **Protection of youth work's National Occupational Standards and the CLDSC Code of Ethics**
- **The proposed EWC to recognise and value the multiple routes and pathways that youth workers take towards becoming professionals, which are not always linked to degree level qualifications**
- **Consideration of the needs of youth work volunteers as potential members of the proposed EWC; include exploration of organisational membership to the EWC for national volunteer-led youth organisations**
- **Specific reference to Youth Workers as professionals within the scope of the proposed EWC, in addition to Community Learning and Development professionals**
- **The proposed EWC to have strong and balanced leadership, with governance which is participatory in nature and where no one profession dominates, and where the meaningful involvement of young people and learners is supported and valued.**
- **The name of the proposed EWC to reflect the entirety of the education system – and includes the words 'learning' and 'community'.**

## Q17. Are the proposed purpose and aims of the EWC appropriate?

YouthLink Scotland broadly supports the purpose of an Education Workforce Council (EWC), and we share the belief that supporting the raising of standards and quality of those involved in the learning and teaching of children and young people would support the Scottish education system to be world leading and delivering high quality outcomes for all learners. The consultation document does not adequately address the rationale for the formation of the EWC and the merger of two effective, distinct and independent bodies (The GTCS and CLDSC) – who have strong international reputations in their own fields. There remains ambiguity of which other professions and vocations might join a new body in the future this further adds to our degree of caution in supporting a single body for professional standards for those involved in the learning and teaching of children and young people (and potentially adult learners too e.g. colleges, adult learning and community development workers within CLD). These proposals expose our sector to significant change; the addition of further membership professions at a future point adds greater uncertainty.

The consultation has not acknowledged the relationship of the proposed EWC with the role and registration of the SSSC, where some of the youth work workforce may already be registered should they be delivering youth work in regulated settings such as in Out of School clubs or in residential care/education settings.

We would welcome a stronger recognition and definition of the scope of education and learning in Scotland, which would include schools and youth work, and which acknowledges children and young people's participation in informal and non-formal learning. The OECD<sup>1</sup> say: "learning that occurs outside the formal learning system is not well understood, made visible or, probably as a consequence, appropriately valued" – we would advocate for the proposed EWC to ensure that this is not allowed to be the case in Scotland.

***Formal learning** means learning which takes place within the systems of general education, initial vocational training and higher education;*

***Non-formal learning** means learning which takes place through planned activities (in terms of learning objectives, learning time) where some form of learning support is present;*

***Informal learning** means learning resulting from daily activities related to work, family or leisure and is not organised or structured in terms of objectives, time or learning support.<sup>2</sup>*

Curriculum for Excellence is a significant driver in moving towards an inclusive curriculum which recognised the range of practitioners who are involved in the delivery of experiences and outcomes for learners in both formal and non-formal settings. Many youth workers, for the first time, saw themselves as partners with teachers in delivering learning. We are hopeful that the proposed EWC could add traction to this inclusivity of youth work practitioners, and that it does not become an EWC for the formal education sector, and where youth workers have to make themselves 'fit' or are viewed as the 'other' of 'supporting' education workforce.

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<sup>1</sup> <http://www.oecd.org/edu/skills-beyond-school/recognitionofnon-formalandinformallearning-home.htm>

<sup>2</sup> European Commission (2015) *Quality Youth Work - a common framework for the further development of youth work: Report from the Expert Group on Youth Work Quality Systems in the EU Member States*. p14.

The purpose includes the phrase: “*professionalism of those involved directly and indirectly in learning and teaching.*” We request the removal of the word ‘indirectly’. We are unsure as to whom this might refer to- and we would hope it would not be used to label those professionals and practitioners who are not teachers. If those working ‘indirectly’ are those involved in education policy, decision-making, or quality improvement, for example, then these individuals’ (their skills, professionalism and contribution) are making a direct impact on outcomes for all learners. Therefore we do not believe in the need to include this distinction of ‘direct and indirect’ within the definition of the purpose of the EWC.

The three aims contained in the consultation document do not pose any significant issues for the youth work sector. However the process and culture which is created within the proposed EWC would have a significant impact on how these aims are delivered in practice. We seek assurances that the process of setting standards is achieved through collaboration and partnership with all of the various professions and identities within the education system and the proposed EWC. Equally we do not want the “*cohesion to the Scottish education system*” to be achieved at the expense of losing our own unique and sector led occupational and professional standards, values and ethics, competences<sup>3</sup> and outcomes<sup>4</sup>.

We would request a revision of the second aim, and for it to be specific to which members of the EWC would be subject to regulation in the public interest. With only some members of the proposed EWC being subject to mandatory registration, it might seem divisive to have one of only 3 aims to only apply to some members of the EWC.

YouthLink Scotland and its members seek clarity and opportunity for further dialogue regarding the use of the terms ‘professional’ and ‘professionalism’. In our view, being a professional or having professionalism is a reflection of personal competencies, quality and experience of working in a trusted role. It is not necessarily reliant on a specific qualification level. We are concerned that there is an assumption within this proposal that ‘professional’ is equal to ‘professionally qualified to degree level’. We fear that highly skilled and experienced youth workers, many without a relevant degree in Community Education, Community Learning and Development or Youth Work/Youth Studies, would be excluded from the proposed EWC. The proposed EWC must recognise and value the multiple routes and pathways that youth workers take towards becoming professionals – and this is not a linear route in the way it is for the majority of the teaching workforce.

#### **Q18. What other purpose and aims might you suggest for the EWC?**

YouthLink Scotland is advocating for the aims to include recognition of the proposed EWC as both a professional body and a regulatory body. We would like assurance that the proposed EWC can be both, without becoming a two-tier ‘us and them’ system for teachers and other education and learning professionals, including youth workers. If this assurance cannot be made, then we return to our initial comment about the rationale for the formation of a single body in the first place.

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<sup>3</sup> National Occupational Standards for Youth Work (<https://www.youthlinkscotland.org/media/1674/youth-work-national-occupational-standards-lsi-yw-2012.pdf>) CLDSC Values and Competences (<http://cldstandardscouncil.org.uk/resources/>)

<sup>4</sup> YouthLink Scotland (2016) Youth Work Outcomes (<https://www.youthlinkscotland.org/policy/youth-work-outcomes>)

Youth work has a significant volunteer workforce – a workforce of highly skilled, committed, professionals who engage in high quality training and accreditation with their volunteering organisation. In a 2012 survey<sup>5</sup> by YouthLink Scotland, it was estimated that the volunteer workforce within youth work be at least 70,000 people. We would like consideration to be given by the Scottish government and further engagement with the youth work sector on how best the contribution volunteers make to high quality learning outcomes is recognised within the proposed EWC. We would be interested in exploring further the proposed EWC acting as a quality awarding body for education and learning volunteering organisations, such as the uniformed youth work sector. This could be an opportunity to further develop the existing CLD Standards Council Standards Mark. This would recognise the quality of the recruitment, training, progression, support and leadership opportunities that volunteers within these organisations have access to. This would enable organisational members of the EWC. We also believe that volunteer youth workers should be able to register as individual members of the proposed EWC.

**Q19. Are the proposed functions of the EWC appropriate?**

The functions proposed in the consultation document largely combine the existing functions of the CLDSC and the GTCS, and therefore we generally accept the functions proposed by the consultation. However if a new body is being created then there must be exploration of areas of greater reach and benefit of bringing the two organisations' experiences, knowledge and resources together whilst simultaneously recognising the distinct identities, approaches and methods of different learning and education practitioners.

Registration criteria must be co-developed through meaningful engagement with all those concerned. The setting of criteria must also take account of the mandatory or voluntary nature of registration within the current CLDSC; and set out clearly the consequence of non-registration for youth workers and CLD professionals more widely. Our members are concerned that non-registration (or failing to meet the criteria if it were to be set by qualification) may mean that some youth workers are unable to work with or in school – which could be to the detriment of young people's learning outcomes.

We welcome the inclusion in the second function, as set out in the consultation document, to establish and review more than one 'Code'. Anecdotal experience shared with us by colleagues in Wales, who have recently established a single workforce council, have expressed challenges of having a single 'Code' of conduct for education practitioners who have different values, ethics, competences etc.

The opportunity for a national system for individuals to record and evidence their prior and ongoing learning and development is welcomed by the youth work sector. It would also give training providers, including youth organisations that provide in-house training, to achieve validation for their learning provision to staff and volunteers through quality assurance marks which have the potential to be more widely recognised and which might attract teachers or other educationalists to engage and participate in their training. This would potentially amplify and extend the reach and recognition of the current CLDSC Standards Mark.

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<sup>5</sup> YouthLink Scotland (2012) National Voluntary Youth Work Organisations Survey

We do not disagree with the proposed EWC having the function to provide advice to Ministers and to contribute to policy making and research – but seek assurances that through the effective governance of the proposed EWC that this would be done in a means which best served the interests of all the professional identities within the EWC. We would anticipate, from experience, these may at times be in direct conflict with one another.

#### **Q20. What other functions might we suggest for the EWC?**

YouthLink Scotland would urge for further consideration of the following additional functions which would be of benefit to the youth work sector and therefore to the outcomes of learners.

##### **Organisation Registration:**

We would welcome the inclusion of organisational registration for volunteering organisations, such as the uniformed youth work organisations. This would recognise the quality of the recruitment, training, progression, support and leadership opportunities that volunteers within these organisations have access to without the need for individual registration.

##### **Volunteer and Unqualified Youth Workers:**

We would welcome the inclusion of a function which would recognise and enhance the standards of training and workforce development which is particularly targeted at volunteers, part time youth workers, and youth workers without degree level qualifications.

##### **Digital Membership Hub:**

We would welcome the inclusion of a single information-sharing function for members of the EWC through the provision of an online space, available equally to all members regardless of criteria/profession, which would host information which promoted access to learning opportunities such as conferences, events, training, academic and research partnerships, and career vacancies.

#### **Q21. Which education professionals should be subject to mandatory registration within the EWC?**

We believe that teaching staff should continue to be subject to mandatory registration. We agree with the proposal that CLD practitioners should have voluntary registration. However we do not want criteria for membership to be set by whether registration is mandatory or voluntary. For example, a degree qualified full time youth worker should be able to register and access the same benefits and be set the same level of expectations as a degree qualified full time teacher. There will need to be clear incentives and benefits for employers, including those in the third sector, to include registration with the EWC as a requirement of current and future employees.

It is our concern, based on our knowledge and expertise, that many sessional, part-time and volunteer youth workers will not identify themselves as CLD Practitioners. Therefore we would welcome that in addition to CLD Practitioners that youth workers are also listed as a profession for registration. As the consultation aims, purpose and function does not set out the consequence of non-registration we believe there is a need to be as explicit and inclusive as possible in the language explaining who the EWC is for.

The 'regulatory body' versus the 'professional body' functions of the EWC need to be further explored with the sectors, particularly with regard to the regulatory functions and how this might impact on the youth work sector's ability to recruit new volunteers and unqualified staff. Our

knowledge of the qualification bar set within early learning and childcare presents us with a worry that this might mean the youth work workforce becomes depleted as the qualification bar or level is beyond their reach, resources or access. Therefore it is crucial that there is greater attention and resource given by the proposed EWC for nationally recognised flexible routes in to the youth work profession and opportunities across the country for access to training and qualifications.

Membership of the proposed EWC should also be open to those involved in education policy, decision-making, quality improvement, workforce development etc. as well as those who are in face-to-face practitioner roles with learners.

### **Q22. Should the EWC be required to consult on the fees it charges?**

The EWC should consult with the sectors (including non-members) on all significant changes, including the setting of fees. The setting of fees presents a barrier to youth work practitioners who are in low-hour posts or who are volunteers. The fee rates would have to be proportionate to the number of hours worked and/or level of income. The setting of fees is dependent on the decisions reached with regards to mandatory and voluntary registration.

### **Q23. Which principles should be used in the design of the governance arrangements for the proposed EWC?**

We share the view of the consultation paper that merging the two existing governance arrangements together is not practical. We are concerned that the proposal reduces the ownership, engagement and interest of the professionals within decision-making and governance of the proposed Council; characteristics which are currently enjoyed and valued in both the GTCS and the CLDSC.

Without certainty about the inclusion of other professions, beyond teachers and community learning and development, this impacts on any potential balance of professional identity and interest in the governance of the council. The balance could of course be calculated in many ways which may appear 'fair' – such as number of professionals; number of registered members of EWC; number of learners they engage; or the number of hours that learners engage in their learning. Whichever way it is calculated we fear that the identity of teaching professionals will dominate the governance, particularly given that their membership is likely to remain mandatory and with regulatory functions whereas youth work, community learning and development and the other professions will become the 'others'.

Should 'independent' individuals be added to the governance so that no one interest forms a majority – it is highly unlikely they will ever truly be independent as they will have prejudgement and experience of the school system and the role of teachers (because it is statutory and something they will have had personal experience of as a pupil) in a way that might not be true of informal and non-formal learning.

A further area we would like to propose for consideration is the meaningful involvement of young people and learners in the governance of the proposed EWC. We believe that their experience would provide invaluable insight in to the qualities, competencies and training that the collective workforce needs.

The governance of the proposed EWC needs to account for the significant culture and system change which will be required and will need strong and balanced leadership. The discussion cannot be all about structures: it is what and how these structures govern that will be crucial to the youth work sector and the success of the EWC. We strongly advocate for a committee structure that has high degree of membership engagement in the development of work, programmes, policy and strategic direction based on the principles of transparency, cooperation and collaboration. We would propose that regional engagement groups are also established to foster understanding, collaboration and professional standards at a local level due to the increased number of members which will result in the joining of the two bodies.

**Q24. By what name should the Education Workforce Council for Scotland be known?**

Our members have offered a number of alternative names for the proposed EWC; the commonality of these alternatives is the inclusion of the term 'learning' and the word 'community'. The narrow understanding of education to mean schools, which is increasingly evident in policy, means that our sector seeks reassurance that our work is valued and recognised for the impact it makes on learners, wherever and whenever they are learning.

*For further information about YouthLink Scotland please visit [www.youthlinkscotland.org](http://www.youthlinkscotland.org)*

*To contact YouthLink Scotland about this consultation response please email Susan Hunter, Senior Policy and Research Officer, [shunter@youthlinkscotland.org](mailto:shunter@youthlinkscotland.org)*