



OFFICIAL REPORT
AITHISG OIFIGEIL

Equalities and Human Rights Committee

Thursday 26 January 2017

Session 5



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EQUALITIES AND HUMAN RIGHTS COMMITTEE

3rd Meeting 2017, Session 5

CONVENER

*Christina McKelvie (Hamilton, Larkhall and Stonehouse) (SNP)

DEPUTY CONVENER

*Alex Cole-Hamilton (Edinburgh Western) (LD)

COMMITTEE MEMBERS

- *Jeremy Balfour (Lothian) (Con)
- *Willie Coffey (Kilmarnock and Irvine Valley) (SNP)
- *Mary Fee (West Scotland) (Lab)
- *David Torrance (Kirkcaldy) (SNP)
- *Annie Wells (Glasgow) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

- Mary Berrill (Education Scotland)
- Barbara Coupar (Scottish Catholic Education Service)
- John Edward (Scottish Council of Independent Schools)
- Maggie Fallon (Education Scotland)
- Philip Gosnay (Association of Directors of Education in Scotland)

CLERK TO THE COMMITTEE

Claire Menzies

LOCATION

The Robert Burns Room (CR1)

Scottish Parliament
Equalities and Human Rights
Committee

Thursday 26 January 2017

[The Convener opened the meeting at 09:30]

Decision on Taking Business in
Private

The Convener (Christina McKelvie): Good morning and welcome to this third meeting of the Equalities and Human Rights Committee in 2017. I make the usual request that mobile phones are switched to silent or flight mode.

Agenda item 1 is a decision on taking items 3, 4 and 5 in private. Is the committee content to take those items in private?

Members *indicated agreement.*

Bullying and Harassment of
Children and Young People in
Schools

09:30

The Convener: Item 2 is our substantive agenda item for this morning. It is a continuation of the work that we started in November 2016 on the bullying and harassment of children and young people in schools.

We have with us this morning a panel of people from different areas. I am delighted to have with us Philip Gosnay, education and youth employment manager at North Ayrshire Council and a member of the Association of Directors of Education in Scotland, which he is representing this morning; Mary Berrill, who is from Her Majesty's Inspectorate of Education and is also senior education officer for inclusion and equalities at Education Scotland; Maggie Fallon, senior education officer for rights support and wellbeing with Education Scotland; Barbara Coupar, director of the Scottish Catholic Education Service; and John Edward, director of the Scottish Council of Independent Schools. I welcome you all to the committee this morning. Thank you for your continuing work with us in this area—we kicked off this work in November 2016.

On the back of that work, we voiced some concerns to the Scottish Government on the anti-bullying strategy, which was in draft form at the time. The Scottish Government agreed that the committee should do some work along with all the interested parties to ensure that the strategy worked best. Some of the young people we had before us were convinced. We proposed to work together with the Government and agencies to develop a better understanding of what young people are expecting from us when they go to school, especially as they want to go to school in a safe environment.

I will kick off this morning's evidence session with a general question. I am not looking for opening statements, as we do not have a lot of time, but we have lots of questions. I would like to get a wee bit of insight into each of your organisations and into where you see them fitting into the development of the strategy and into how it could work for young people.

John Edward (Scottish Council of Independent Schools): Good morning. I represent the 75 or 76 independent schools, which include mainstream schools—day and boarding, nursery and all-through, single-sex and co-ed—and a substantial number of independent complex additional support needs schools, most of which are residential. There is quite a range of interests

there, and quite a range of approaches that schools must take to the issues that we are discussing. Probably a third of our pupils are boarding or residential, and that involves 24/7 pastoral care, as well as the daytime school issues.

We were not part of the steering group that set up the anti-bullying strategy, but we follow the issues closely. We are inspected in the same way by Education Scotland and by the Care Inspectorate. For issues such as those that we are discussing, our schools run closely to HGIOS 4—the fourth edition of “How good is our school?” We have developed our own child protection strategy, which incorporates general guidelines on bullying that are taken from UNICEF’s respecting rights agenda, from respectme, Scotland’s anti-bullying service, from Brave the Rage and from other organisations that do training courses for us.

The key thing for us is that, in effect, each school must approach the issue in its own way, because the schools are entirely autonomous. The governors of our schools are trustees and directors, but they are also the employers of the school staff, both support staff and teaching staff. Therefore, they are the directing authorities when it comes to legislation such as the Children and Young People (Scotland) Act 2014. They are the ones who have to set policies.

Many of our schools have recently sought to engage their pupils in writing policies—positive relationship, behaviour, health and wellbeing and moral education policies and so on. A lot of our schools are rights-respecting schools, and they use that approach as a way of engaging pupils in dialogue when bullying comes up—as it does in all schools; ours are no exception—particularly in relation to the protected characteristics. Our approach is to address the attitudes that lead to bullying and to try to understand what prompts such behaviour in schools, so that those issues can be dealt with by pupils as much as by teachers.

Barbara Coupar (Scottish Catholic Education Service): Catholic schools account for approximately 20 per cent of schools in Scotland. Although the majority of them are under local authority responsibility and follow local authority policies, their particular characteristic is that they try to ensure that church teaching is rooted in everything that they do in academic, social and spiritual practice. We are particularly interested in the committee’s work in this area because we feel, first and foremost, that we have experience to offer as a “protected characteristic”, given that we have gone through an evolution of acceptance in Scottish society. In addition, we have rooted in our tradition what we would call an experience of reconciliation, which is now more commonly

known as restorative practice or peer mentoring. We try to ensure that that approach, although it is rooted in education, goes beyond schools and is linked to our communities. We have close partnerships with our local parishes, social groups such as girl guides and sporting activity groups.

I welcome the opportunity today to offer our experience and consider ways in which we can root our approach in the informal as well as the formal curriculum.

Mary Berrill (Education Scotland): I am one of Her Majesty’s inspectors of education in a team of dedicated inspectors who undertake inspection and scrutiny activities in early years, in primary and secondary schools, and—as the committee will be aware—in colleges and other areas. A key focus of my work in schools is to ensure wellbeing, equality and inclusion. My background, and my role as a senior education officer, which the convener mentioned in her introduction, is in inclusion and equalities, and I contribute that expertise and knowledge to the inspection teams.

The new model of inspection which, as the committee will know, started in August, places an increased emphasis on safeguarding, which is now a core component of the inspection process. It always was part of the process, but its role has been enhanced. I am frequently responsible for undertaking safeguarding procedures in inspections.

Maggie Fallon (Education Scotland): I am senior education officer for rights, support and wellbeing in Education Scotland, which translates as being the lead for children’s rights and for our relationships and behaviour policies, including attendance and exclusions. I am also responsible for wellbeing in relation to the getting it right for every child agenda. I am a member of the working group that is putting together the respect for all revised anti-bullying strategy. I am also the policy link for anti-bullying with the Scottish Government, and I work closely with respectme, Scotland’s anti-bullying service. I am responsible for implementing “better relationships, better learning, better behaviour”, which is a key piece of guidance.

Philip Gosnay (Association of Directors of Education in Scotland): I am a senior manager for education and youth employment in North Ayrshire Council and a member of the Association of Directors of Education in Scotland. ADES is an independent professional network for leaders and managers in education and children’s services; it informs and influences education policy in Scotland and works in partnership with local and national Government and other agencies. It offers a range of professional development activities and opportunities for its members.

ADES, in line with the Scottish Government's approach, takes very seriously bullying of any kind, including homophobic, biphobic and transphobic bullying, and it is committed to promoting an ethos in which every pupil has the right to learn in an atmosphere that is free from victimisation and fear. Children have the right to protection from all forms of violence, both physical and mental, and they must be kept safe from harm and given proper care by those who are looking after them.

ADES recognises that children's wellbeing and attainment can be severely undermined by bullying behaviours, and that bullying can affect confidence, undermine identity, lower self-esteem, result in social isolation, and contribute to poor mental health and affect physical health.

We would welcome the development of refreshed and updated anti-bullying policies, which should be at the heart of a whole-school approach to establishing a welcoming and nurturing ethos, whereby health and wellbeing and being safe are necessary prerequisites to effective learning, to achievement and to the attainment of all young people.

We expect all schools to have an anti-bullying policy that is regularly reviewed and which is informed by local authority and national policy. Anti-bullying approaches should make it clear that all types of bullying are unacceptable.

The Convener: Thank you so much. That gives us a wee picture of where you fit into the bigger picture. There are many component parts to the work of ensuring that a safe and nurturing environment can be created for our young people, which can only be good.

Members have interests in a number of areas. I will take them in turn, starting with Alex Cole-Hamilton.

Alex Cole-Hamilton (Edinburgh Western) (LD): Good morning, panel. Thanks very much for coming to see us.

I should start by declaring an interest. Before I entered Parliament, I sat on the ministerial task force on child sexual exploitation. In addition, my wife is a Roman Catholic primary school teacher in Edinburgh. In my work on the task force, it became clear early on that there is an intrinsic link between child sexual exploitation and bullying in schools, particularly when it comes to the new frontiers of emerging social media and all its various platforms. I was the youngest person on the task force, and I was largely unaware of many of the platforms on which young people are engaging these days. On platforms such as Snapchat and Instagram, images and text can be captured that can be incriminating, which can be used against children and young people and used

to coerce them into sexual acts or other kinds of behaviour. That issue became one of the task force's priorities.

What are your organisations doing in relation to those emerging fields of technology? How are you working to instil an understanding of child sexual exploitation among teaching staff? Are there any other frontiers that you are exploring in this area?

The Convener: As Maggie Fallon is on the working group, she might have an insight into that.

Maggie Fallon: I refer the committee to the research of respectme, Scotland's anti-bullying service. I know that the committee took evidence from Brian Donnelly. He said that there is no evidence to suggest that more bullying takes place online than offline—in other words, most bullying takes place face to face—and that, in dealing with it, it does not matter where the bullying is taking place; what is important is that we dealt with it in a consistent way.

I agree that social media has made things very emotive and that the situation can become extremely complex, but a number of schools have adopted some thorough ways of dealing with the problem. To go back to some of the things that Philip Gosnay mentioned, it largely comes down to having a positive ethos and an inclusive environment in which bullying cannot thrive. It is crucial that schools work hard to have such an environment in place. A huge amount of work is being done in schools to develop that. Barbara Coupar spoke about restorative approaches, nurturing approaches and solution-oriented approaches. Schools are working hard to develop those so that children feel safe and that there are people in schools with whom they can identify and whom they can speak to when they are concerned.

It is probably also worth mentioning that we would want schools to develop policies on the safe and responsible use of mobile technology, and that we would want children to be involved in the development of those policies at a local level. As we have heard from colleagues, it is crucial that they are involved in that process, so that they have ownership of the safe and responsible use of mobile technology at school level.

Alex Cole-Hamilton: Does anybody else have a view?

10:45

Barbara Coupar: We see this area as lying within the field of relationships and moral education; it goes beyond just bullying. We must help our young people to build an understanding of how all these aspects are connected.

Within our primary schools resource, which is called “God’s Loving Plan”, there are particular lessons, right from second level, that talk about different forms of technology. They try to help our young people to understand about the dignity of their own bodies and other people’s bodies, and to give a sense of modesty. More than that, they give them the sense that there are trusted adults they can go to, that there should never be an atmosphere of secrecy between them and another person, who is sometimes in their immediate family, but also that there should not be a sense of guilt in going to tell somebody. That is a holistic approach, and not just rooted in dealing with bullying.

Within our secondary schools resource for relationships and moral education, which is called “Called to Love” and goes from S1 to S6, we are currently refreshing our resources to bring in aspects of social media and internet technology.

Mary Berrill: I would like to contribute on the inspection process. As I mentioned earlier, safeguarding and child protection form a core component of the new inspection model. Certainly, in our discussions with schools, we will ask about and look at all their policies and procedures, to ensure that child exploitation and other matters have been fully included and have been given due regard in relation to all their policy and practice. If we are aware, through bullying logs and so on, of any particular incident, we will also have a detailed discussion to ensure that the school has done everything possible to support the child to address the issue and, more important, to ensure that the school is striving to develop a culture and ethos of the highest expectation—a culture of inclusiveness in which everybody feels that they belong and are safe.

That is clearly a key aspect of any inspection process and the promotion of positive behaviour. All that will flow very much from the safeguarding and other aspects of the inspection activity. In the fourth edition of “How good is our school?”, child sexual exploitation is mentioned by name under quality indicator 2.1, on safeguarding and child protection.

John Edward: Mary Berrill mentioned the word “ethos”. From our perspective, that is very important to our schools, because they all have an individual ethos or philosophy that has developed over decades—or centuries in some cases. That forms a very core part of how they approach any of these problems, such as cyberbullying and sexual exploitation.

One of the main roles that SCIS performs for its schools is professional learning and development and the production of guidelines on all sorts of areas, based on best practice, case law, the Equality Act 2010, the Children and Young People

(Scotland) Act 2014 or whatever it may be. We have a child protection bible, if you like, that is updated almost monthly. It now has a very large section on cyberbullying and all aspects of how to deal with it, how to prevent it, how to respond to it and how to capture evidence of it, but also how to recognise that increasingly in schools—and I go back to the respecting rights agenda and others here—it is pupils who are seeking to call each other out on it too. There is an element of self-respect and collective respect in schools that they seek to engender, so that there is no sense that this is an acceptable thing to do. All our schools will also have individual information and communications technology policies, which refer to this as well as to more minor issues—such as the prevent duty, for instance.

As I mentioned before, in the case of some residential special schools, where children are there for 52 weeks a year or, in the case of boarding schools, for eight or nine weeks a term but 24/7, connections to ICT and to the outside world—not least to a pupil’s family, who might be on the other side of the world—are very important, so there has to be a very careful balance between access to technology and how it is used in the school.

Alex Cole-Hamilton: Thank you. My second and final question relates how aspects of the school culture can unwittingly foster environments in which bullying can take hold. In particular, I am talking about sport and physical education.

When I was coming up through school, it was normal for people to be sifted—by a system of peer review, almost—into those who could play and those who could not, and that would determine who was picked last for certain team games. That went right through to secondary school and it was almost part of received wisdom among the PE staff that some guys were the elite and some were the kind of guys who you just found something to do with for an hour of PE.

I put that to representatives of sportScotland at the Health and Sport Committee on Tuesday, and they were quite vehement in their denial that that is still the case. However, yesterday, I went to Cramond primary and was told that it is absolutely still the case. The school decided to ban football for three months because it was leading to a culture of elitism and of people being excluded, and the staff wanted to encourage the children to try other forms of physical exercise. That approach was found to be quite beneficial.

I am sure that, in all levels of the education system, there are policies and the will to end that culture of quasi-elitism and peer selection, but how good are we at ending it? What policies we are using?

Mary Berrill: As a person who was always picked last for all games, I understand your point.

The inspection process has an increasing focus on the promotion of equality and diversity in our schools. That has been a big change in our schools over the past 10 years or so. Teachers are increasingly aware that people vary in terms of potential, ability and attributes and that everyone has to be treated in a way that ensures that they feel valued. The word “valued” is important in our schools.

Sometimes, behaviours are imported from activities such as football, rugby and martial arts outwith school—increasingly, children and young people are involved in activities beyond the classroom, which has been a positive thing. It is important that staff are aware of how to promote diversity and ensure positive behaviours in schools. That has been a key focus in our schools. It is important that, when behaviours arise that are not positive, the staff take a consistent approach so that everyone recognises that it is not all right to pick and choose and understands that everyone has a right to be involved and to feel that their contribution is valued.

You gave a good example of what can be done when a school sees an issue arising. The intervention that you mentioned was important, as it prevented the behaviour and ensured that people understand that, if they display those behaviours, they will lose something they value—in that case, their football.

Equality and diversity must be reinforced day in and day out. That is being done in our schools but, as with many things, there are still improvements that can be made. That will always be the case.

Alex Cole-Hamilton: I am keen to hear from John Edward, who can give the private sector’s point of view.

John Edward: Obviously, sport has a substantial role to play in our schools because it forms part of the extracurricular aspect of what schools do. If you speak to our colleges, they will tell you that they expect their young people to spend almost as much time outside the classroom as they spend inside. Last week, I spoke to a primary school pupil who does eight hours of physical education in the course of a five-day week. Our schools want to encourage that approach in every possible way and will therefore avoid anything that might put people off. Sport is approached from the point of view of physical and mental wellbeing, but also in terms of developing a sense of self-evaluation and a sense of team spirit. Some of the most famous rugby schools will drop rugby after one term and switch to, for example, hockey, to ensure that the people who were at the front of the line the first time round are

not at the front of the line for the whole year—that applies to boys and girls.

On pupils’ activities outside the school, we follow the 2013 going out there framework, which sets out guidance for off-site visits, and we are aware that those might create an atmosphere in which people are more susceptible.

We also need to be aware of all the other aspects when people are out of the classroom, such as the maintenance of religious symbols when changing into sports gear, or, indeed, having gender-neutral uniform policies. In some ways, those matters are easier to control in a school uniform environment, but there are all sorts of issues, such as those to do with changing rooms and different sports kits. It is fair to say that none of our schools wants to discourage participation in outdoor activities, whether those involve team sports, individual sports or general pursuits in terms of outdoor classrooms. It is important to have a sufficiently wide range of activities, so that no child feels that this is not for them.

Philip Gosnay: Restorative practice is more than just a classroom-based approach; it should pervade all that we do in a school, including in relation to health and wellbeing, fitness and sport. I think that we overplay the sports card at times; I am heartened that health and wellbeing is a much wider sphere of importance for our young people. It is about being healthy, and there are lots of ways to be healthy other than just playing elite sport. We must recognise that there are lots of opportunities for children to develop individually and as part of a team. That team approach should be based on inclusive practice and, when tensions build between children, on restorative practice. That approach needs to be embedded not just in classrooms but in our playgrounds, on our sports fields and in our communities.

The Convener: Thanks very much. We move on to some discrete emerging issues that came from the round-table discussion in November. One was about how data is collected and used, and Willie Coffey will come in on that point.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): Good morning, everybody. I would like to touch on data and data recording, to get a handle on the extent of the problem that we may face. There seemed to be consensus among the panel that we heard from in November that there is a lack of data, particularly on prejudice-based bullying—that was the clear and striking message that we received. What is the position in Scotland regarding the recording of incidents of bullying? Are schools recording consistently? If so, why would that panel think that there is a lack of data available to us?

The Convener: Mary Berrill mentioned that the inspection procedure has changed slightly. I ask her to tell us what the changes are and how they relate to Willie Coffey's question.

Mary Berrill: Safeguarding has always been part of any inspection. In the old model, as information, data and intelligence were gathered over the week, the managing inspector, or the designated inspector, who had the required training and expertise in child protection—all inspectors are extremely well trained in safeguarding and child protection, but some, like me, take it forward as their particular interest and specialism—would meet the headteacher to discuss any aspect of child protection that had come up during the inspection that they wanted to discuss in greater detail.

We have expanded that approach and put more emphasis on safeguarding and child protection; indeed, that is the name of the quality theme. The move has been extremely positive, because there are many aspects of safeguarding that are not seen as child protection but which we want to have a discussion about. We may particularly want to have conversations about protected characteristics or to discuss safeguarding and young carers, looked-after children and so on.

A range of data is very important in safeguarding and child protection procedures. Data on attendance, for example, is important. If somebody is not in school, there are clearly concerns about their safeguarding. Data on exclusions is also important, as is looking at how well the young person is attaining and achieving, as that can often be an indication of difficulties or an unmet need.

As part of the safeguarding procedures, bullying logs are looked at in schools. The introduction of that quality indicator ensures that there will be a continued and consistent approach by inspection teams, who will all be asking for and looking at bullying logs. I do that myself—I have looked at many bullying logs. They are important not so much because they provide numbers as because they indicate what the issues are, which enables us to have a detailed conversation with the headteacher about them.

10:00

We spoke earlier about social media. If I see that a number of the incidents recorded in the bullying log involve social media, I can have a conversation about how the school is dealing with that area. We look at whether the school's personal and social education contains the required focus on positive behaviours around social media and whether the topic is covered in assemblies. We look at whether the school has a

separate policy on the appropriate use of social media, and we talk to staff and children to ensure that the subject has been dealt with appropriately.

In all the data, we are looking for themes and for specific issues that emerge. Sometimes an incident is a one-off that the school has dealt with very quickly, perhaps by pulling the parents in, so we do not see it continuing in any way.

Data is important. Inspection teams look at bullying logs and at schools' anti-bullying policies, which are now called something like policies on promoting positive relationships; the subject is couched very much in those terms. There is a long conversation about safeguarding—my colleagues who are involved with safeguarding will tell you that the process is detailed and thorough.

For a few schools—not many; I have checked the figures—there may be a particular concern. For example, the anti-bullying or promoting positive behaviour policy may not have been updated recently. In that case, we would take that information back to Education Scotland and ensure that the authority is informed directly that there is a particular concern, and there will be follow-up to ensure that it has been addressed. That is very much part of the procedure.

To answer the question, consistency and rigour are very important outcomes of the new procedures.

The Convener: Does Willie Coffey want to come back in? Mary Fee has a brief supplementary, too.

Willie Coffey: I want to know what the actual position on the ground is, because I have not yet heard it described. Why did the panel members at our previous evidence session last year say that there was a lack of detail across the board? Do you agree with that? Is there a widespread lack of data? Why would they say such a thing?

Barbara Coupar: The majority of Catholic schools are under local authority control. I went to a meeting of the Catholic Headteachers Association of Primary Schools, and everyone there was absolutely sure that local authorities were robust in their anti-bullying policies and that bullying should be recorded. However, my understanding from what was said at that meeting is that there are significant differences around what should be recorded and how that should be done. CHAPS represents the eight dioceses, which cover all 32 local authority areas, and different groups of people from neighbouring local authorities highlighted different approaches. Those differences might come from, for example, the computer system that is used to record data, which may mean that certain types of bullying are not recorded in the same way.

The people at that meeting also raised the issue of who gets to define the root of the bullying. Is it the person who is being bullied, the bully or the adult who is looking at the situation? There is nuance and greyness around that, and the people to whom I spoke said that they are very open to receiving help and support to ensure that their data is accurate.

Maggie Fallon: The existing anti-bullying guidance, “A National Approach to Anti-Bullying for Scotland’s Children and Young People”, contains information and advice on not only recording but monitoring, as it is important that we monitor any issues with the data and address them at a local level. It is also important that we involve young people in the data analysis; again, that takes us back to the point about the need for ownership at the local level.

The new respect for all guidance, which I am conscious you have not seen, places a much stronger emphasis on recording and monitoring. As it is guidance, we cannot insist that it is followed, but it provides a framework. I repeat that schools and authorities do not have to follow it absolutely; we would like authorities to be able to place their own stamp on it and make it personal to themselves.

The suggested framework talks about the need to make it clear who is involved, where the bullying is taking place and whether it is happening face to face or through social media. The type of bullying or whether there is an underlying prejudice or a protected characteristic involved also needs to be made clear. There also needs to be consideration of personal or additional support needs, and there is the important question of what the actions and next steps are. We hope that, when the guidance is published, the strong recommendations in it will lead to a more consistent approach to recording across the country that my HMIE colleagues will be able to see when they go out into schools.

The Convener: What is ADES’s role in relation to the issue? In November, we heard about a very inconsistent approach to the gathering and recording of data and its use in identifying and putting together anti-bullying strategies. Is ADES, as an overview organisation whose members sit at director level, aware of the problem and, if so, has it taken any action to address it?

Philip Gosnay: ADES agrees with respectme that there should be local recording of data on bullying. However, this is not just about recording—data should be recorded in any case. What is more important is analysis. This is all about getting information to measure the effectiveness of our anti-bullying approaches and the impact on young people who are directly affected by bullying, and the purpose of data collection must remain the improvement of our

service to young folk. Data should be gathered and analysed, and that work should result in actions that address instances of bullying and build a young person’s resilience in response to such instances in order to ensure that we continue to get it right for every child.

The Convener: You said that that “should” happen, but does it? That is the question that we want to know the answer to.

Philip Gosnay: I think that the proposed respect for all guidance, which we welcome, will help with that and will also help with consistency.

Mary Fee (West Scotland) (Lab): My question is for Mary Berrill and comes back to comments that my colleague Willie Coffey made. You said that the safeguarding element of the inspection process has been enhanced. Why has that happened?

Mary Berrill: The child protection guidance was updated in 2014 to include new elements that are pertinent to the modern world, such as female genital mutilation and the prevention of terrorism, and it also includes sexual and gender issues that are constantly being updated. Schools’ policies have to reflect that updating, and schools must ensure that, when they discuss such issues with young people, they use current and up-to-date information. That is an on-going issue, and it reflects national guidance.

Mary Fee: Did the enhancement of that element also reflect the fact that not an awful lot of data had been collected?

Mary Berrill: Not from Education Scotland’s point of view. When we go into schools, we look at their individual data. I can understand why you might want to discuss data beyond school level, but inspectors inspect individual schools. For a number of years, the expectation has been that schools should be data rich, and that is very much an expression of the approach that is set out in “How good is our school? The Journey to Excellence” and the third edition of “How good is our school?” Schools need intelligence, and those that use it well do so by analysing it and using it to intervene or to change their approaches. That is the most important aspect of high-quality data. Static data brings with it its own risks. An inspector can go into a school where the headteacher has many brightly coloured folders and everything is beautifully colour co-ordinated, but the inspector cannot see the actions and impacts of the data, which are a very important aspect of an inspection.

Willie Coffey: I will finish my point on data recording. I appreciate what the panel has said about the thoroughness of the structure of the data that we might look at in the future. There does not seem to be a requirement to record, so that is still

advisory and a matter for guidance. Do we need to take a step beyond advice, guidance and expectation to require schools to record the data? If schools do not collect, gather and report that information, how will children and parents know what the position is at a particular school?

Maggie Fallon: As you point out, the matter is only in guidance, so the strongest language on recommendations in the policy is “should”. However, part of the policy is the recommendation that local authorities should develop their own policies and that schools and all youth organisations should develop their own policies, too. At a local level, local authorities can use stronger language on what they expect from their schools.

John Edward: As data recording is specific to each school, there is a strong expectation from all sides that there is a clear record. At all our mainstream schools, parents go into school to sign a contract so that they are a tripartite part in the child’s education. They expect to be able to be shown a clear record of how things are dealt with in any situation, as does the governing board of a school. It is up to individual teachers or senior pastoral staff—the deputy head or whoever it is—to deal with a particular issue, whether that is due to immaturity or naivety or whether it involves a more serious element of bullying or harassment. There is an expectation from children that such issues are recorded and not just treated as high spirits. That is helped when children are involved through, for instance, the respecting rights agenda to produce their own code of conduct. There is also an ethos to report and record so that a child is not seen as a clype or a snitch.

On the issue of cyberbullying, we stress the importance of recording information in our training. There is an assumption that data disappears from Snapchat and other things, but there are ways of capturing quite a lot of that data if teachers and support staff are canny and know how to deal with it. A school governing board expects—as do the Care Inspectorate and Education Scotland—to be shown on paper exactly what was done in any individual case.

The Convener: We will now move on to another substantive issue in our inquiry.

Mary Fee: In a previous evidence session, we heard about the degree to which, during teacher training, teachers are trained to recognise, and to cope with, bullying in schools. We did not get an awful lot of substantive information on the form that the training takes, the degree of importance that is placed on it, how long the modules are, whether there is one or more modules, and whether the training is refreshed before the teachers leave. Is the training robust enough to properly equip teachers before they go into

schools to be able to cope with and deal with all forms of bullying?

The Convener: John Edward talked about what can be done “if teachers ... are canny” and equipped, but we want to know whether they are canny and equipped. How can they be equipped if they are not?

John Edward: It would be our and the schools’ expectation that they are equipped. There are elements in teacher training that are robust enough, but it would be extreme folly to assume that, once someone has been teacher trained and has done their papers, their training is over. The point of our professional learning and development is that it is career-long, including for headteachers. We have heads, governors and chairs of governors in to discuss those issues, not just classroom teachers and support staff. For instance, we will have an event next month—I think that Brave the Rage may be coming to it—that is designed specifically to allow pastoral staff in boarding schools to look at the latest developments including aspects of cyberbullying but also the latest best practice. We will have another event the month after that on gender-neutral uniform policies in schools and that sort of thing.

10:15

More could be done in teacher training, but the teachers in our sector tend to come from a more varied background. For instance, a lot of teachers come from down south and a fair number of teachers—at least at the moment—come from elsewhere in the European Union and further afield, including the Commonwealth, and they will have had a different training. Also, if someone comes from far afield, their attitude to these things may be different in the same way that pupils who come to a boarding school from the other side of the world may have a different attitude to what constitutes bullying. That is why it is increasingly important to ensure that there is training on such issues.

We have about 3,500 teaching staff in the sector and at least a third of them go through SCIS training of some form or another every year. The biggest section of that training is on child protection and wellbeing. We do not see it as something that is all over once a teacher has got their certificates.

Mary Fee: Would anyone else like to comment?

Maggie Fallon: We have had feedback from LGBT Youth Scotland that it has been working with seven out of the eight initial teacher education providers in the past year, including the University of the Highlands and Islands. Respectme has been working with the universities and a lot of new

development work is going on just now. LGBT Youth Scotland is developing a new toolkit and has a consultation day coming up very soon. It will launch the new toolkit following the publication of the respect for all guidance. The Scottish Government is also in discussion with LGBT Youth Scotland and Stonewall about resources and the joint provision of further training across the whole teaching profession, from information technology right through to teachers in the classroom and senior managers.

Philip Gosnay: Given the data that we have had from the time for inclusive education campaign, the Stonewall research in the Education Scotland response and the input from all the contributors on 10 November regarding bullying and its effect on LGBTI young people, we see it as particularly important that the release of that resource now goes ahead. The respect for all guidance will ensure that all training events and policies will include guidance on prejudice-based bullying and recognition of the protected characteristics as well as making links to the United Nations Convention on the Rights of the Child. Some of that work has gone ahead through respectme, and the training that is planned is of a high quality. However, we need that guidance to be released now.

The Convener: I will give you an example. LGBT Youth has spoken to us, the TIE campaign has spoken to us and Girlguiding Scotland has said some things this week about education. In the summer, I was at the launch of the Educational Institute of Scotland's booklet about misogyny in classrooms. All those organisations are saying the same thing—that some of the teacher training and continuing professional development is inadequate. I spoke to two professionals who had, last week, taken part in teacher CPD about violence—especially domestic violence—in the classroom. They said that the whole lesson was taught completely in binary terms: it was about men and women, not the broader characteristics that are much more reflective. It seems that all those groups are telling us this stuff, but it does not seem to be filtering through to the training that is being delivered on the front line. How do we address that?

Philip Gosnay: Any training needs to give teachers confidence about dealing with issues of prejudice-based bullying or harassment in the school system in order to reduce the significant impact of bullying on people's lifelong mental health and educational attainment. We need to ensure that appropriate equalities training is in place for students, newly qualified teachers and educational support staff. It has to be revised and updated—that is the only way we can ensure that our teaching methods and our experiences are up to date.

Mary Fee: I am concerned, because we have heard from panel after panel of professional people that we have had policies, we have refreshed those policies, we have introduced another policy, we have refreshed it again and we have then done something else, but the young people who have come here have told us that that has made no difference. With the greatest respect, introducing policy after policy is clearly not addressing the issue.

Philip Gosnay: Practice has to change. We can have all the policies we like, but we need to have staff who are trained and confident in meeting the children's needs. We need to change our approaches, which will be helped by the guidance that we are going to get. If we listen to young people, that also helps our responses. We need to listen to young people.

Mary Fee: John Edward, you represent independent schools and you said that you work with your pupils. How do you develop your policies and strategies with input from young people? What difference do you think that makes?

John Edward: Last week, I was speaking to one of the Edinburgh schools about moving from a level 1 to a level 2 rights respecting schools award, and what that meant. The school had used its pupils talking about both the UN Convention on the Rights of the Child and other aspects of the school to rewrite its policies. The children had sat in on the process so they were also policing those policies. I can think of another school in the west where bullying cases—depending on their severity—are considered in the first instance by pupils in the final year of school. That is a collegiate approach, in which people who have been through the same school within living memory can look at the issue.

If we thought that the training out there was perfect, we would not have to develop our own. I suppose that we are lucky to be in the position that we can create bespoke training, involving the time for inclusive education campaign, respectme and others.

The point that was made about the prevent duty is important. Scotland has that duty right to a certain extent, because it is not focused on one faith against another. Rather than saying that it is against a certain kind of radicalisation, it considers sectarianism, white extremism and all sorts of other aspects. It is the same with bullying—you have to look at it in every aspect. In a sports changing room, it is not just boys against little boys or boys against girls—you have to look at all the varieties. That is where the protected characteristics come in useful, because they can help you to identify your approach.

If we were not able to provide that training for our schools or bring in other bodies from down south or even further afield, I would worry about the ability of our schools to keep abreast of developments, not in terms of guidance and statute but in terms of society and the world. As a parent, I know—as will all of you—that we are always three steps behind our children and what they understand.

David Torrance (Kirkcaldy) (SNP): Good morning everybody. It is interesting that you say that procedures have to change. The convener mentioned the girl guides, and I belong to one of the largest youth organisations in Scotland; the training that is in place to support our leaders and interact with the different groups is way beyond what you are doing just now. We reinforce that training and give adequate support to leaders if they feel that they cannot cope. However, your organisations have millions of pounds of local authority money and you are talking about procedures needing to change. How are you going to do that?

The Convener: David Torrance is one of the most senior scout leaders in Scotland.

David Torrance: I am sorry—I should have declared that as an interest. We have engaged with our youth and all the different groups in the Scout Association for a long time. We have promoted that approach. If you walk into any scout hall, you will see anti-bullying posters with all the steps that you have to take laid out. How is it that we can do that, although we are all volunteers who are supported with limited resources, yet the local authorities and private sector organisations that have millions of pounds to spend cannot get the message across to schools?

Maggie Fallon: No one has millions of pounds to spare. The respectme organisation is set up to support all schools, establishments, clubs and organisations that work with children and young people; it has an agreement to work with all agencies as part of its service agreement. For bigger organisations, such as the scouts—although you would have to speak to respectme on this—I am sure that it would look at some kind of training-for-trainers, or cascade model, to help the organisation develop its own policy and change procedures if that was necessary. Respectme would provide all that support and training.

John Edward: We definitely do not have millions of pounds—that money is just not there. In the courses that we run, we pay for literally the cost of photocopying and the coffee, unless there are outside speakers who charge, which is rarely the case. Apart from anything else, we have speakers and attendees from local authority schools and from schools down south and even

from Ireland and the Netherlands. A lot of the time, all that we do is identify a school, a centre, a charity or another organisation that has done something new or innovative in a particular area and ask someone to come and share that best practice. Our schools are keen to do that. It need not be a huge, costly and complex arrangement. The bigger the structure is, the less flexible it is and the less able it is to respond to new developments. Half of the stuff that is in our child protection guidelines was not there when I started in this job seven years ago.

Mary Berrill: The concept of training has also changed, particularly for something as important as preventing bullying and harassment. We certainly have an expectation that staff should model positive behaviour—that is an important aspect of preventing bullying and harassment in any culture. We expect senior staff and peers to regularly go to classrooms to observe how staff interact with pupils and to give them feedback that will help them to improve the quality of their teaching and how they interact with young people.

Training should not be thought about in terms of a two-week course or whatever; it is something that takes place throughout someone's career. Training is increasingly about coaching-type approaches and helping teachers. When a teacher comes out of college, they are just at the start of their learning. We must ensure that they are able to link with and learn from staff who are extremely skilled at supporting young people. There has been an increase in teachers working in trios—small groups of teachers, often from different schools, looking at one another's classes and sharing insights with one another in order to improve the quality of the learning and teaching. That clearly has an impact on how children and young people are supported in our schools, in the playground and beyond the classroom.

There has also been a dramatic increase in the involvement of the third sector in schools, which has been one of the more exciting developments in Scottish education. When we go into schools now, we see boat builders, the police, staff from the national health service and people from local businesses. When I go on inspections, I have to take my wellies, because I am often on a farm or at an outdoor centre to look at the work that goes on in those places. Learning does not always happen in the classroom now. However, when the third sector is involved, we fully expect the same levels of child protection procedures and safeguarding to be in place and for there to be the same rigour in addressing bullying that we would expect to find in schools. That is driven by the school, which makes arrangements in such a way that everyone is quite clear about the expectations. Young people should be supported regardless of where learning is happening.

Mary Fee: What is the panel's expectation of how a refresh of anti-bullying policy will be fed down through the school? How is every teacher trained and updated on that policy?

Mary Berrill: I ask about that during an inspection. When we go into a school of, say, 1,000 pupils, by the end of the week most of the teachers will have seen an inspector and there will have been drop-in sessions for people who want to come and talk to us. I do not normally take lunch, but I always go to the school canteen to talk to teachers and ask questions such as, "Have you seen the latest policy?" and "What's been happening about the school's approach to bullying and promotion of positive approaches?"

10:30

School inspection has three elements: quantitative data, pupils' views and direct observation. We also have focus groups of teachers and focus groups of pupils, and we constantly ask them about important aspects. As members know, we send out to parents, teaching staff and pupils pre-inspection questionnaires from which we gather and collate feedback. That information shows that in 2015-16, for example, 85 per cent of primary school pupils and 71 per cent of secondary school pupils strongly agreed or agreed that staff were good at dealing with bullying.

We use the fact that we are data rich. If we see a problem, we ask why it is there. We ask why staff do not know about it and say that they have to do training. We look at training logs; for example, we always check the child protection training, because everyone has to have child protection training. On top of that, we look at what the educational psychologists, the social workers and the third sector are doing to help staff to become better equipped and more competent when it comes to delivering pupils' health and wellbeing. That is all part of the inspection process.

Mary Fee: I am sorry to labour the point, but you said that you ask teachers whether they have seen the latest anti-bullying policy. Do you mean that you ask them whether they have read the latest policy or whether they have had practical training in it?

Mary Berrill: I ask questions such as, "Does the school have a new anti-bullying policy?" and "Where do you find the anti-bullying policy?" Increasingly, teachers have their own shared area for policies and procedures. I ask them when the policy was last updated, what difference it made, whether they were part of the team that developed the policy and how it was taken forward. The normal procedure is that working groups develop

policies. One working group might work on the anti-bullying policy, while another works on work-based learning. There will be different priorities in the school improvement plan. We ask a set of questions.

We do that work week in and week out, so we realise quickly when there is a problem: staff might ask whether there is a policy, for example. As soon as we get such an alert, a very focused discussion takes place and further follow-on action is taken with the school. It is a rigorous process.

There might be six, seven or eight people in a secondary inspection team, and we all feed back the information that we gather—we triangulate our evidence and come to conclusions. The conversation will vary depending on the responses, and we ask the deputy head why teachers do not know about the policy. Occasionally, the deputy head will say, "It was only written three months ago," or "It was written three years ago and we need to update it." Action that is needed is quickly identified, and that is written up and shared when the inspection process findings are shared.

Mary Fee: Would anyone else like to comment?

Maggie Fallon: In relation to new policy, there are clear areas of responsibility for teachers, parents and pupils. I am conscious that the policy is what is written down in black and white, whereas the committee is interested in what is happening in practice.

We have strong expectations regarding development of the policy—the process is extremely important. It is not a case of taking the national policy, rubbing out the name and putting in the name of the local authority or the school, and making just a few changes. It is important that the development process involves as many people as possible. I reiterate how important it is to have children, young people and parents involved in the process, as well as staff. It is also important that it is the people in the working group and the children and young people, and not the headteacher, who present the policy to their peers—whether they are teaching staff, support staff or the children and young people.

Once the policy is out there, it is important that it is not just left on a shelf. We expect that it would be kept high on the agenda, that posters would be on display during assemblies and that references would be made to it in improvement plans and so on. A clear monitoring and review process should be built in.

We plan to hold engagement events following the launch of the policy, to help schools, clubs and so on to implement it. Those are the kind of things that we will be talking to people about.

John Edward: Part of my job is to ensure that schools know that this kind of conversation is going on. As I said, the SCIS was not on the original steering group, but I brief headteachers and senior staff at least once a term and I quite often address meetings of governing boards. I was talking to 21 headteachers in Perth and Kinross yesterday and I talked about this morning's meeting.

We want schools to feed in at the drafting stage—at the consultation phase—just as they are feeding in on the new health guidance that came from the Government this week, so that our guidelines and the professional learning and development that we deliver to schools are future proofed to the best of our ability and take account of new legislation, whether we are talking about the Children and Young People (Scotland) Act 2014 or the most recent education legislation, to enable schools to adapt best practice accordingly.

I am not an education expert, but I have 3,500 education experts out there; even though our sector is small. It is their views that we want to feed into consultations such as this one. I would certainly expect not just the senior staff and governing boards of schools but key pastoral staff to know about such developments while they are in their draft form and, where appropriate, to feed into them, rather than wait for the outcome and then simply implement the policy.

The Convener: We need to move on.

Jeremy Balfour (Lothian) (Con): I want to develop two or three issues that have been discussed. Let us suppose that I am a classroom teacher in an average school, who has been a teacher for five years. How much training will I be given on bullying and how to deal with it?

Maggie Fallon: That would very much depend on the school and the local authority where that teacher works; it is up to them to develop their career-long professional learning programmes for staff.

We talked about preventing bullying and creating a positive ethos and culture. We expect teachers to be involved locally in approaches to developing positive relationships and behaviour. We have talked about restorative and nurturing approaches; we expect teachers to be involved in those.

A school might engage with the respectme.org.uk website and Education Scotland's website in order to source training. It might also use the glow education intranet pages to share examples of practice. Psychological services in local authorities also provide training in positive relationships and behaviour approaches, so the teacher should be able to access such training. There should be whole-school training as

well as training that is offered at local level. Teachers can also access the training on positive relationships and behaviour that Education Scotland offers at national level.

Philip Gosnay: There is regular and on-going training, which relates to the school's improvement-planning process. All staff have access to training. Staff can highlight issues that they have through their professional review and development process and then apply for bespoke training through their local authority. There are lots of different routes: there is training in school, and staff work in trios, as Mary Berrill said, and in groups on policy and practice in their locality. Staff also get advice about national practice and policy from external trainers, and the school group will then work together to translate that into actions for its own community through working with staff, pupils—that is vital—and families, on an on-going basis.

From year to year, there will be consistency around nurturing and restorative approaches. All that develops and embeds the culture that will support anti-bullying strategies and make them effective in our schools. Training is an on-going process and a regular feature.

Jeremy Balfour: I will be absolutely frank. I have spoken to a number of teachers over the past couple of months, and that is simply not their experience. My biggest concern and, I suspect, that of other committee members, is that we are so caught up in policies, strategies and highbrow thinking that the average class teacher, who is trying to do a really good job, is simply not getting the training and help to do the things that we are discussing. I find it concerning that we are talking so much about policies and strategies. They are important and have a place, but if they are not being embedded in our schools and classrooms, they will simply sit on a shelf.

I have a second issue to raise—picking up on what Barbara Coupar said—that we should perhaps aim to get further up the agenda. The way in which information is recorded seems to vary dramatically among local authorities: one local authority will deem something to have been a bullying incident, while another may not. How incidents are dealt with seems to vary, even though guidance is given across Scotland for the same recorded incidents—not just in each local authority area but in each school. We need to compare apples with apples. The danger is that some schools may be recording incidents very well, but are then being criticised for having too much bullying, whereas other schools do not record incidents and are not picking up on problems. It seems to be strange that we do not have a standard way of recording bullying incidents.

Maggie Fallon: Going back to what I said earlier, if a child feels bullied, that should be recorded as a bullying incident. There is no threshold for what bullying is. If a child feels bullied, he or she is being bullied, and that needs to be addressed and recorded. There should be consistency.

Jeremy Balfour: Why are we ending up with local authorities acting in different ways, as Barbara Coupar said?

Maggie Fallon: That is because it is up to the individual local authority to develop its own policy and recording systems.

The Convener: Is inconsistency the key issue?

Maggie Fallon: Recording and monitoring are crucial. The important thing is that a process and system are set up that people understand, that they adhere to and apply consistently at local level, and that tracking and monitoring are done at local level so that any gaps, issues or recurring themes are addressed at local level. It is about getting the process right in individual schools and local authorities, and applying it consistently at those levels.

The Convener: Jeremy Balfour picked up on points that Barbara Coupar made. Would you like to come back on them?

Barbara Coupar: Some things are now converging in terms of training and consistency. The intention of every teacher training institute and local authority is to do the best for the children under their care. Sometimes the policies almost become barriers to their ability to do that.

My experience as a classroom teacher was that I had a consistent input on child protection at the beginning of every single academic year: that was standard. It led to an holistic view of the protection of every child, including in relation to bullying. It is my understanding that that is what should happen in every school across the country. It should start with a view to child protection.

There are differences in induction-year training depending on the local authority and on how much is offered in the area for N2T—new 2 teaching—teachers. When it comes to my responsibility, as an individual teacher, for my own professional update, I have to consider the standards that I must apply within my career. I have to keep myself refreshed.

Consistency is an issue and there is a blurring of the line between an issue being solely about anti-bullying and its becoming part of the getting it right for every child agenda. Schools are trying, but teachers might not be naming things as anti-bullying training sessions or policies. I agree that there are inconsistencies that are perhaps

preventing data from being available. People are trying to do their best, but things can be improved.

Jeremy Balfour: I have a final question, again regarding training. All bullying is wrong—there is no disagreement on that. However, bullying according to various perspectives—whether it is to do with disability, race, sexuality or whatever—is different. How does training reflect that? TIE has worked on a campaign in one area, but what about disability or race? Is there training specifically on how to deal with someone who is disabled who is being bullied, or with someone who is being abused on the basis of their race?

10:45

Barbara Coupar: I cannot say how that would be done formally in every local authority, but my experience as a classroom teacher was that such training was very localised. For example, if we were aware, at transition, of young people who were to attend our school and who had a disability, who were immigrants or who had a language barrier, that would be raised first with staff in a safe environment, with partner agencies coming in to talk to us about the appropriate things to look out for and how to look after those young people. That approach would be very localised and it would depend on the context of the school.

Philip Gosnay: I will talk with my North Ayrshire Council hat on, if that is okay. We are building the capacity of staff to support anti-bullying in many ways; we have training at different levels, including staff and parent training and we have had a policy refresh. In essence, if we are to change and strengthen the approaches and give teachers more confidence in dealing with bullying, our training has to include consideration of what bullying is and to explore prejudice-based bullying and online bullying. Training must also consider the impacts and outcomes of the strategies that we are advocating for staff, the culture and policy in the school, and the prerequisites for an inclusive and nurturing approach. It has to explore the child who is bullying and how we can help to build resilience in our young people. It has to discuss what we can learn from case studies.

That is our plan; the training programmes, which will focus on particular aspects, are about to be launched in North Ayrshire. Case studies will be used to explore bullying in all its abhorrent forms and how we can respond and support young people. We are looking at all that.

Maggie Fallon: Philip Gosnay has kind of said it all, but I want to add that it is important that we do not create a hierarchy of bullying and suggest that one type of bullying is more horrendous than another, because all bullying is horrendous: none of it should happen and it all needs to be

addressed. We need to be careful about that. I agree that, in training programmes, it is helpful to provide additional knowledge in relation to some of the protected characteristics, but all bullying should be addressed equally and there should be no hierarchy.

The Convener: There is inconsistency, however. A lot of the young people who we have spoken to talked about how personal and social education is used in schools. Health and wellbeing is a clear foundation and tenet of curriculum for excellence, and if we do not get that bit right, we will not close the attainment gap and kids will not, with the right support, perform to the best of their abilities.

I have talked to a lot of young people in the past few months who have told me horrendous stories about how PSE is used and especially about it going down a very moralistic route. A lot of young people feel backed into a corner and that their thoughts and feelings are not being respected. I absolutely agree that there should not be a hierarchy, but there is inconsistency in the way in which teachers deal with people in different protected characteristic groups. That comes back to the issue about teachers being canny and equipped. From what I hear, teachers are not equipped, especially in relation to the issues in LGBT Youth Scotland's manifesto, the issues that the TIE campaign and the girl guides have raised or even the misogyny stuff. We are hearing that teachers are not equipped to deal with some of those issues, perhaps because of a moralistic approach or because there is something that they do not believe in.

If there is a belief issue, we want teachers to be able to handle it. If, for whatever reason, they cannot do so, they should be equipped to signpost kids to the right places so that they can get support. Across schools, there seems to be a non-recognition of LGBTI issues. Some schools—both faith and non-faith—are doing brilliant work, but some are not. We hear of young people who go down the route of self-harm or attempt—and in some cases actually commit—suicide. That is the crux of the issue: it is about the health and wellbeing of kids and what we are doing to ensure that their journey through school is safe and supported and that they are nurtured. We are not doing that: there does not seem to be recognition that there is an issue about LGBTI young people and how they should be supported through school, and that is a real concern for us all.

There is great practice across the board, including at St Joseph's college in Dumfries and Vale of Leven academy, and we hear of brilliant stuff that is going on. In other cases, we hear very disturbing stuff, including about how PSE is used. I

know that the Education and Culture Committee is to look at PSE and how it is used.

I had a very long and frank conversation with my son, who has just left school, about what PSE meant for him. It meant very little, which is a concern. He is able to come and speak to me about anything, but when I spoke to some other young people in some of the high schools in my area, they told me that PSE is a disaster. Either it is a moralistic judgment on the young people or it is a waste of time. That is how they view it. That is the crux of the issue, but we are not facing that.

I know that that was a bit of a rant. What are the panel members' thoughts?

John Edward: There are two aspects. One, which I talked about earlier, is sensibility to the different degrees of severity of issues. For example, one of our child protection trainers has a series of scenarios that she puts in front of new teachers, probationers, gap-year students or whoever. She says, "What do you think this is—something that needs a quiet word in the ear or a letter to the parents, or an immediate child protection issue?" If it is their first time in that situation, they inevitably err on the side of either extreme caution or extreme liberalism. We have to attune them to the issue.

The other aspect, particularly in relation to the protected characteristics, is the need to attune schools, pupils and teachers where there are circumstances that they have not come across before. I remember speaking to a few Sikh temples a couple of years ago because a school was not sure how to deal with the symbols that a Sikh boy was carrying in relation to playing team sport. There is plenty of guidance out there for schools to incorporate in their practice. The boy spoke to his class about his faith, and understanding was spread from there. The respecting rights agenda is very good on that, because pupils are very aware of their rights.

I mentioned a gender-neutral policy event that we will be doing soon. Brighton college on the south coast of England took a clear view on that a few years ago. It said, "We are simply going to have two uniforms. One is a trouser uniform and one is a skirt uniform. You choose which one you are going to wear." The issue was not about uniforms; the school was aware that people who have an issue in terms of gender identity or transitioning are, as the convener said, at least 50 per cent more likely to attempt self-harm and a very high percentage are likely to attempt suicide. It was saying, "We will fail as a school if we do not recognise that the issues exist and find a way of speaking to the children about them. If uniform is the route in, that is the one that we will take."

Even for someone who has been in the teaching profession for 30 years, it might be the first time that they have ever experienced the issue. That is why we need to bring people in and train them.

A lot of it is about pupils from different ethnic or religious backgrounds or with other protected characteristics talking to their classmates and their school assemblies and saying, for example, "This is who I am. This is what I, as a Muslim, will be doing over Christmas." I have seen quite a lot of that. Once pupils start to respect the individuality of their peers, they have much greater resistance as a group to singling a person out.

The Convener: Barbara, will you come in at this point? As you know because you have seen the evidence, the young people who we spoke to raised issues about Catholic schools. We would like some insight into whether there is recognition of those issues, especially around LGBTI young people. What is the Scottish Catholic Education Service doing to address that without making young people feel as if they are committing a sin?

Barbara Coupar: Teachers need confidence, not only in Catholic schools but in all schools, to speak about issues that they might not have encountered before. We are working with our two headteacher associations to find out what the reality is for young people in our schools and then to take a two-pronged approach to help our young people. The first part of that is to look at dedicated training for teachers, which will come within the holistic approach that I mentioned earlier in relation to relationships and moral education, and, in our secondary schools, the identification of a trusted adult. Young people who are going through something that they think they cannot talk to anyone else about would have an identified person who they could go to. There are a couple of reasons for that: we want to know that the trusted person is confident, well-trained and able to support the young person and their family, and we do not want a culture in schools of teachers feeling that they have to become counsellors for all the children, especially if they are not equipped for that role, because sometimes that can be more damaging.

Secondly, as well as staff training, we are looking at inputs to relationships and moral education programmes. For example, we have already identified a resource on hate crime, particularly LGTBI and homophobic hate crime, that was developed by the Crown Prosecution Service in England and Wales. There is no way that we would remove God from our approach to education, but there is a time when we want to consider an issue in terms of our societal responsibility. That resource would be an insert for PSE as opposed to religious education, although there is a connection as our children's spiritual,

academic and physical health and wellbeing are all connected. That is something proactive that we can do immediately.

I have just returned from a conversation with the Bishop's conference of Scotland. We are hoping to look at ways of getting some research in the area to find out the experience of our young people, but also to find a way to support anyone who presents themselves in school saying that they are transgender or gay. We want to be able to offer a line of support that is outwith the school. It is a hallmark of Scotland that parents have a choice about which school to send their children to, and that is great. When the parents choose a Catholic school, they choose a school that has traditional practices and is rooted in the faith of the church. Every parent knows that when they make that choice. We want to have a balance and ensure that we are meeting the needs of those young people without any conflict with church teaching.

The phrase "hierarchy of bullying" was used. In terms of our church teaching, there is consistency in what we would say to our young people about sex before marriage and what we would say about sex between a man and a man or a woman and a woman. There is no separation there between homosexuality and heterosexuality. It is important for us to help our teachers and wider society to understand what the church actually teaches. We are hoping that those strategies, which are already coming into place, will address the needs of our young people but also help to answer those questions.

The Convener: That is welcome, as is the work that you are doing on hate crime. You mentioned speaking to the Bishop's conference and others in some of the on-going work, but you did not mention any of the young people's representative organisations. Is it clear that they will be involved?

11:00

Barbara Coupar: We have already had a meeting with TIE, and we have had a meeting with some of our young people who have gone through Catholic schools and who are in the LGBTI community. We are very conscious of the fact that this is part of our community as well. It is not lots of separate things within Scottish society; it is our parents, our pupils and our local communities, so this is absolutely not something that is going to be solely within the Catholic church. Although we will be working with partners and so on, we will be keeping an eye on being authentic to church teaching.

The Convener: That is extremely welcome. We all understand that Catholic schools teach within that faith; we get that, and we clearly understand it. The issue for us is when aspects of whatever is

happening in schools fail, as that is when discrimination comes into play. The issue is about dealing with discrimination and not about the moral code that you have in your faith. That is where the committee is under the most pressure on the issues that are coming before us. We get examples of really terrible situations for some young people. If you are giving me your commitment and reassurance that that is an ongoing issue, we will take that on board. As you can imagine, we will be monitoring all of it across the board, as we want it to work—for your sake, but mainly for the kids' sake.

Alex Cole-Hamilton has a supplementary question.

Alex Cole-Hamilton: Thank you for your answer, Barbara. I absolutely endorse what you say about the role of faith and consistency with church teaching in Catholic education. I am in no way trying to denigrate that. However, for me, there is an inconsistency in that, as recently as the past five or 10 years, particularly with some of the remarks from Cardinal O'Brien and even some of those from Pope Benedict, there has been a disconnect between the upholding of sexuality and people's choices within sexuality and the teachings of the church. That has improved a bit under Pope Francis, but we are not entirely there yet. I would like to tease out a little bit more how you bridge that inconsistency between the teachings of the church around homosexuality and upholding and valuing your LGBTI pupils in Catholic schools.

Barbara Coupar: In Catholic schools, we propose the gospel; we do not impose it. That is the most succinct way in which I can put it. In all areas of morality, we can offer a vision for life, and then it is up to each individual whether they want to accept that and take it on board. We want to ensure that, as we propose a gospel that is rooted in ensuring that the dignity of every human person is cherished simply for who they are, and that is not compromised in any way depending on their choices, our staff and our community understand that no judgment is to be made of people.

For some, that is a generational thing. For others, it is societal. For some, there is also a sense that, as people with a protected characteristic ourselves, we often feel that our beliefs and our position are being attacked and that we do not have the right to defend what we see as a vision for life. The numbers of non-Catholic families who choose to send their children to Catholic schools show that there is something in that vision and ethos that they want.

As I said, the gospel is proposed, and if people decide that it is not the choice for them at this moment—or at any moment—that is up to them.

Alex Cole-Hamilton: That is encouraging. May I also ask, then, how you equip and support your teachers to be receptive and helpful to children who might look up to them and might find that they are the closest adult relationship they feel comfortable in exploring their sexuality within and saying, "I think that I might be gay. I want to come out"?

I know from personal experience, because my wife teaches in the Catholic education system, that there is still a bit of anxiety and doubt about what the teacher's role should be and what they should be allowed to say in response to that. There is a default to saying, "Don't talk to me about this." Will you shed some light on that and on where the discussion is on it within both the Catholic teaching and education system and the Bishops conference?

Barbara Coupar: Our primary school headteachers have said to me that they have not seen a marked difference in the number of young people who have presented to them in any way regarding their sexuality or wondering whether they are transgender. At present, they say that that has not risen. The majority would see that as happening in our secondary schools.

For some of our secondary school teachers, it does not matter what the issue would be from our young people. If they are not a PSE teacher or a religious education teacher, they might not feel equipped to have conversations of that ilk with the children anyway. One of the things that we are trying to do is to ensure that our staff know, first, at a basic level, the law and what they are allowed to talk about, and secondly what the church actually teaches—there is sometimes confusion there—so that they have the confidence and the sense of freedom to be able to talk about that.

However, sometimes teachers need to be able to say, "I don't think I'm the person who can help you." That is why we are going down the avenue of ensuring that, in all our Catholic secondary schools, pupils can go to a trusted adult or a safe space within the school where there will be someone who has had the opportunity to be trained—for want of a better word—in order to be able to meet the needs of the young people in their care.

The Convener: We have run well over our time this morning. As you can imagine, we have a lot of areas that we want to explore within the subject. We will decide after today how we are going to take forward some of the aspects that have arisen from today's evidence and the evidence that we have taken previously.

Thank you very much for your attendance at the committee's meeting this morning. We really appreciate your coming along. You have given us

some food for thought and we will take that forward. If, when you go away, you think of something more that you should have said, please get in touch with the committee.

We want to give the Government the best advice that we can give so that it can get the policy right. If the policy is right and it contains good, pragmatic recommendations, we will get it right for every single child irrespective of which school they go to and in which area. We appreciate your help with that this morning, and no doubt we will talk again. Thank you very much.

11:07

Meeting continued in private until 11:30.

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