

# **PE1953/L: Review Education Support staff roles**

## **Cabinet Secretary for Education and Skills written submission, 25 April 2025**

I am writing in response to your correspondence dated 22 March 2025, in relation to petition PE1953, calling on the Scottish Parliament to urge the Scottish Government to review Education Support (ES) staff roles.

I note that the Citizen Participation and Public Petitions Committee considered the above petition at its meeting on 19 March 2025.

You asked for an update on the report on work looking at options for an accredited qualification and registration programme for Additional Support Needs Assistants and also asked why it has been delayed.

I anticipate the report will be published in the coming weeks.

I note the Committee's focus on the Petitioner's concerns regarding pupil support staff safety, and specifically, training for supporting children with additional support needs, including induction, risk assessments, de-escalation strategies, BSL, Makaton, and specialised disability knowledge. I also note that the Petitioner refers to an ESS member suffering workplace injuries. This is of course unacceptable, the health and safety of any employee is a priority and I hope the individual in question received the help and support they required.

I would like to reassure you that I take the wellbeing of our education workforce very seriously. While the recruitment, retention and terms and conditions of employment for ESS are matters for individual councils as employers, the Scottish Government is committed to supporting a high-quality education workforce which is empowered to deliver improved outcomes for all children and young people. The Petitioner's submission also highlighted medical care duties performed in ASL schools, and you asked for my views on the provision of such care by Education Support Staff.

We recognise that any child or young person may require additional support at some point during their time at school, sometimes this support will be required to manage short-term health conditions, but in some cases these health conditions may be longer-term.

We have published guidance on supporting children and young people with healthcare needs in schools, which sets out information on supporting healthcare needs at school. This guidance is available on the Scottish Government's website through the following link: [Supporting children and young people with healthcare needs in schools: guidance - gov.scot](https://www.gov.scot/publications/supporting-children-and-young-people-with-healthcare-needs-in-schools/guidance/pages/1-1-introduction.aspx).

With regards to the specific issue of school staff taking on medical duties such as administering medication or providing intimate care, the guidance on supporting children and young people with healthcare needs in schools states, at paragraph 82 , *'NHS boards and education authorities should work collaboratively to ensure that all staff receive an appropriate level of training to understand and respond to both the*

*educational and health needs of children and young people for whom they are responsible. Training requirements should be planned for and driven by the individual needs of children and young people in the schools in the area*'. Information around training and development of staff to support healthcare needs in schools is also covered fully within paragraphs 82 to 85 of the guidance. Furthermore, paragraph 91 of the guidance notes that *'both the school management team, and staff themselves, must be satisfied that training gives staff with sufficient knowledge, understanding, confidence and competence appropriate to their role'*.

Additionally, Education Authorities should ensure that their insurance/indemnification arrangements provide full cover for their staff who meet healthcare needs or administer medication within the scope of their employment.

Where a child or young person is diagnosed with a health condition, it is normally the role of parents/carers to notify the school that they require the school's input to support their child's needs. When this happens, staff in the school and the school health team should work closely with the child or young person concerned, and their parents or guardians, to ensure they have all the information required to help meet their needs.

If medication is required to be taken whilst at school, in order to manage a child or young person's health condition, parents or guardians are responsible for providing information to the school about any medication that needs to be taken. More detailed information about administering medication, and dealing medications safely, is set out at paragraph 106 through to paragraph 128 of the guidance. This includes detail on how any medication should be supplied to schools, by parents or guardians, in its original packaging and including any patient information leaflets.

With regards to intimate care, appropriate training should be put in place for staff who provide intimate care. Staff should protect the rights and dignity of the child or young person as far as possible, even in emergencies. Education authorities may have separate procedures in place for the management of intimate care and these must be adhered to at all times. Further information about intimate care is contained within paragraphs 129 and 130 of this guidance on supporting healthcare needs in schools.

Let me reassure you that the Scottish Government wants to see all children and young people receive the support they need to reach their full potential. Under the United Nations Convention on the Rights of the Child (UNCRC), all children have the right to an education and to have an opinion that is listened to and taken into account. This includes being listened to in decisions about their education and about their healthcare. This right is underpinned in Scottish law by the Education (Scotland) Act 1980.

Under the Additional Support for Learning Act 2004, education authorities have duties to identify, provide for and review the additional support needs of their pupils. They are responsible for determining the most appropriate provision for children and young people with additional support needs, taking account of their legislative responsibilities and the individual circumstances and wishes of children, young people and their families. Education authorities are supported in implementing their duties under the 2004 Act through the [statutory code of practice](#) on additional support for learning.

I note that the Petition includes elements related to wages and working hours for ESS. The Scottish Government respects the independence of Local Government and has no formal role in setting the pay or terms and conditions of non-teaching school staff, including Pupil Support Assistants. Pay negotiations take place between COSLA and recognised trade unions to agree pay deals that apply across every local authority in Scotland. Decisions regarding terms and conditions, such as working hours, are the responsibility of individual local authorities and can vary across the country.

As part of the 2024/25 pay negotiations for the Scottish Joint Council (SJC) workforce, COSLA published a [factsheet](#) in August 2024 that detailed what the pay offer, which was later accepted by trade unions, would mean for different roles within Local Government. This factsheet outlined that a Pupil Support Assistant would earn around £14.76 per hour which is equivalent to £28,475 if working 37 hours per week.

You may be aware that spending on additional support for learning by local authorities has reached a record high of over £1 billion in 2023/24 – the latest figure available - an increase from £540m in 2012/13. The Scottish Government have continued to invest £15m per year since 2019-20 and provide over £11m of funding to directly support pupils with complex additional support needs and services to children and families. In addition, the 2025/26 budget sets out a further £29m of additional investment for ASN. This investment will include an allocation for local and national programmes to support the recruitment and retention of the ASN workforce and will enable us to build on the work being delivered through Scottish Government Additional Support for Learning Action Plan.

I am happy to provide the Committee with further updates on this work as needed, specifically regarding the report's publication and the progress of its contained actions.

Yours sincerely

**JENNY GILRUTH**