

Citizen Participation and Public Petitions Committee

7th Meeting, 2022 (Session 6), Wednesday 4
May 2022

PE1867: Establish a new national qualification for British Sign Language (BSL)

Note by the Clerk

Lodged on 20 May 2021

Petitioner Scott Macmillan

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to encourage the Scottish Qualifications Authority (SQA) to establish a National Qualification in British Sign Language (BSL) at SCQF Level 2.

Webpage <https://petitions.parliament.scot/petitions/PE1867>

Introduction

1. The Committee last considered this petition at its meeting on [2 February 2022](#). At that meeting, the Committee agreed to write to the Scottish Government, the Scottish Qualifications Authority, Deaf Action, Enquire, the National Deaf Children's Society Scotland and the Scottish Children's Services Coalition.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from the Scottish Qualifications Authority, the Scottish Government, Children in Scotland and Deaf Action, which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).

5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).

Action

The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1867: Establish a new national qualification for British Sign Language (BSL)

Petitioner

Scott Macmillan

Date lodged

20 May 2021

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to encourage the Scottish Qualifications Authority (SQA) to establish a National Qualification in British Sign Language (BSL) at SCQF Level 2.

Previous action

I have contacted Collette Stevenson MSP who is supportive of my petition.

Background information

Currently there is no SQA British Sign Language (BSL) at SCQF Level 2 unlike French, Spanish, German, Italian, Gaelic (for learners), Urdu, Mandarin and Cantonese.

As a result, BSL cannot be taught from Primary 1 as an "L2" language. It is currently an "L3" language which means it can only be taught from Primary 5 onwards. A BSL SCQF Level 2 qualification would allow for pupils to be taught signs while they are learning English, minimising the barrier of communication between hearing and non-hearing children and adults.

The Scottish Government BSL National Plan, established in 2017, encourages more students to learn BSL in schools. However, I do not think it takes enough action to support this. I think that establishing this new qualification would lead to a higher uptake of children learning BSL, in both Primary and Secondary education.

Annexe B

Extract from Official Report of last consideration of PE1867 on 2 February 2022

The Convener: PE1867, which was lodged by Scott Macmillan, calls on the Scottish Parliament to urge the Scottish Government to encourage the Scottish Qualifications Authority to establish a national qualification in British Sign Language at Scottish credit and qualifications framework level 2.

I am delighted to say that our meeting is being streamed in BSL for those people watching and hopefully for our petitioners, who might now be watching the consideration of the petition.

The petition was last considered by the committee on 8 September 2021. At that meeting, the committee agreed to write to the SQA to establish whether the qualification called for in the petition could be introduced, what would be required in introducing it and what, if any, obstacles there might be to doing so.

A response has been received from the SQA. It advises that the decision regarding “what qualifications must be in place to provide students with the opportunity to learn BSL, or any other additional language, from primary 1 ... is not strictly in SQA’s gift.”

It advises the committee to seek advice from those in the Scottish Government with responsibility for the language learning in Scotland: a 1+2 approach policy. The submission explains that the particular qualification types that are deemed to be part of the national qualifications suite include national courses and national units at each level from SCQF level 1 up to SCQF level 7. Furthermore, the different levels in the national qualifications help SQA to recognise the attainment of learners of all abilities and ensure that there are appropriate progression routes. SQA advises that it would not normally seek to develop a course in a new subject at just one level.

To ensure a fair appraisal of new requests, SQA advises that it has developed criteria that need to be met before considering developing national courses in a new language. Those are evidence of demand for a course; sufficient qualified and registered teachers; strategic support from a range of partners within Scottish education; and the availability of specific grant funding from the Scottish Government.

The SQA advises that previously BSL has failed to meet the first and second criteria, which were the focus of considerable debate after the British Sign Language (Scotland) Act 2015 was passed and while the BSL national plan for 2017 to 2023

was being developed. Those were the evidence for demand for a course and sufficient qualified and registered teachers. SQA advises that it has developed awards in BSL rather than national courses.

I think that we know quite a bit more than we did before. Do members have any comments or suggestions for action?

Paul Sweeney: The point about the capacity to deliver the course is interesting, and I think that the SQA's response is fair. I am not aware of the number of people in Scotland who are qualified in BSL, but it might be worth trying to establish a route to a solution with Scottish Government colleagues.

It might also be worth trying to engage with the further education sector, perhaps including certain colleges that might be able to offer BSL as a qualification. On that basis, if we are able to establish some understanding about the logistics of delivery, it might enable the SQA to work towards developing a qualification that could be offered.

We might not have a BSL teacher in every school in Scotland, but the course might be offered at a school or a college within a local authority area and that would allow interested students to apply to do the course. I am sure that there is a way of working through the issue that has been identified, and it might be worth looking at how we can bring stakeholders together to see whether we can hammer that out.

The Convener: Thank you, Mr Sweeney. I think that you might have the same sense that I have that there is a lack of ownership of the actual direction of the pathway to a solution. That seems to be the point.

Alexander Stewart: I concur with that, convener. There is a demand and capacity issue, and possibly a lack of qualified teachers and funding. All of those would need to be in place before we can see whether there is an opportunity. Mr Sweeney makes a very good point about taking collective responsibility to provide it within a centre, a school or further education. That is part of the issue, but at the same time, if there is not the demand and there is not the resource, it is difficult to understand what the situation is. Clarifying that would be useful.

Ruth Maguire: I am interested to know how the SQA assesses demand and whether it consulted with the deaf community on that. Perhaps we should write to stakeholders such as Deaf Action, the National Deaf Children's Society Scotland and the Scottish Children's Services Coalition.

David Torrance: I was just going to agree with my colleague, Ruth Maguire.

The Convener: She stole your thunder.

David Torrance: She stole my thunder there.

The Convener: I would like to write to those organisations and the Scottish Government to ascertain what qualifications must be in place, prefacing it by saying that the evidence the that committee has received so far seems to point to a lack of clarity about where the leadership for a resolution of this issue might lie. I would be interested in their comments on that because, from the evidence that we have received, the situation is not clear and therefore we are amassing evidence without it being clear what the trigger would be to give effect to progress. We will keep the petition open and proceed on that basis.

Annexe C

Scottish Qualifications Authority submission of 4 March 2022

PE1867/C - Establish a new national qualification for British Sign Language (BSL)

Thank you for your letter, dated 7 February 2022, seeking further information from SQA in relation to petition ref 1867, concerning qualifications in BSL. Your letter mentioned two main areas that you would like SQA to comment on further:

1. How did SQA assess the demand for BSL qualifications, how did SQA establish there was a lack of suitably qualified teachers to deliver BSL qualifications and did this include consultation with the Deaf community and parents of Deaf children?
2. What are SQA's thoughts on what the committee considered was a lack of clarity over 'where leadership for a resolution to the issues identified in the petition might lie'.

Assessing demand

In my previous response to the committee, dated 3 November 2021, I advised that 'there is currently not enough evidence of demand from learners'. In making that statement, our assessment of the demand for BSL qualifications was based on the number of learners that have been entered by schools for our existing range of BSL qualifications.

SQA has been offering units and more recently awards in BSL (at various levels), since SQA came into existence in 1997. This evidence of demand is very helpful to us, as we consider uptake statistics relating to old and existing qualifications to be a strong indicator of the likely future demand for new qualifications in the same subject area. Using past, actual uptake statistics also ensures that teaching and centre capacity is accounted for within our calculations.

We often find there are claims made about the likely or potential size of the market for new qualifications that do not turn out to be as accurate as hoped when the qualifications are made available in real-life.

This is not deliberate and often simply reflects people's strength of feeling for their given subject area and their hope that others will share their enthusiasm when the qualifications become available. So, while we welcome the views and projections put forward by your stakeholders, we must also be realistic about expectations when it comes to demand.

SQA must account for the public money it spends on developing new qualifications and on the processes and procedures we must follow to quality assure and certificate those qualifications. It can be difficult to balance the most appropriate and most cost-effective type of qualifications with the expectations of those groups of stakeholders with interest in a specific area. In the case of BSL, it was decided that awards would be more appropriate than National Courses, as awards are assessed internally within the centre, rather than through central exams.

Although SQA already has several National Courses in languages, that are part of the main exam diet, the nature of BSL is quite different from the existing languages offered. BSL involves two modes (receiving and giving) compared to Modern Languages, which develop four skills (reading, writing, speaking and talking). Therefore the approach to assessment needs to be unique to BSL and it does not lend itself to our traditional examination approach.

Qualified Teachers

The lack of suitably qualified teachers for the delivery of BSL in schools, and particularly teachers from the Deaf community, has been a well-known issue for several years. Indeed, the issue was acknowledged in the Scottish Government's BSL National Plan 2017 to 2023, through the inclusion of two goals specifically targeting BSL teaching:

- Goal 16 – 'Work with the General Teaching Council for Scotland (GTCS) to remove barriers that make it difficult for BSL users to become registered teachers'.
- Goal 17 – 'Undertake additional investigations into the level of BSL held by teachers and support staff working with D/deaf and Deafblind pupils in schools'.

Lack of clarity over Leadership

SQA has responsibility for developing National Qualifications for Senior Phase pupils in Scottish Schools and those qualifications must align to the policy direction laid out by the Scottish Government through the Curriculum for Excellence. The Scottish Government also provides the funding to SQA for the development of new and/or revised National Qualifications. So, the choice and coverage of qualifications in Scottish Schools is a joint exercise involving both the Scottish Government and SQA.

When it comes to the delivery of languages in Primary Schools, the leadership comes directly from the Scottish Government through their 1+2 Languages Policy. SQA has no responsibility for the curriculum or the delivery of subjects and lessons in the Primary Schools sector.

The difficulty in this petition is that the petitioner appears to be looking for a National Qualification in BSL, as a means to enabling the delivery of BSL in Primary Schools as an L2 language. To explain the petitioner's reasoning here, it might help the committee to consider the following quotation, relating to the 1+2 Languages Policy, from the Scottish Government's '1+2 Languages Learning Survey: Report' (23 Mar 2020):

'The first additional language (L2) will be taught from Primary 1 (P1), the second additional language (L3) from Primary 5 (P5) at the latest, both onwards to the end of the broad general education (BGE) in S3. In line with the 2012 recommendations from the Languages Working Group, there is no hierarchy of languages within the 1+2 languages policy. However, the L2 has to be a language available as a National Qualification and is therefore one of: French, Spanish, German, Italian, Gaelic (Learners), Urdu, Mandarin, or Cantonese. The L3 can be any language, including British Sign Language (BSL), community languages (sometimes offered as GCSE qualifications), and Latin (available as National Qualification).

I hope this information helps the committee and please get back to me if there is anything further you would like SQA to clarify or respond to.

Scottish Government submission of 14 March 2022

PE1867/D - Establish a new national qualification for British Sign Language (BSL)

Thank you for the opportunity to provide a further response regarding this petition, following its consideration by the Citizen Participation and Public Petitions Committee on 2 February 2022.

Your committee has written to ascertain what qualifications must be in place to provide students with the opportunity to learn BSL, or any other additional language, from Primary 1 onward, and I am happy to offer clarification on this point.

It is clear that the petitioner wants more children to learn BSL from a young age, identifies the 1+2 languages policy as a means of achieving this, and sees a lack of the right qualification as an impediment. There is some confusion over what qualifications are required, and I hope to put this confusion to rest.

I also want to highlight at the outset two wider points in relation to the petition I would like to elaborate on, and that I hope will assist your committee in its deliberations:

- The steps that the petitioner is seeking are not necessarily *required* to attain the outcomes they are seeking.
- Furthermore, these steps are also not necessarily *sufficient* to lead to these outcomes.

I will return to these points after offering the clarification the committee has sought.

The 1+2 languages policy

Firstly, I feel it would be helpful to clarify the terms of the 1+2 languages policy, and its position within the Curriculum for Excellence. The aim of the policy is that pupils will have an entitlement to learn at least two

additional languages at school (called the L2 and L3) during the Broad General Education from P1 to S3.

- The L2 is the first additional language. This should be taught consistently from P1 and follow a continuous framework of progression. The advice from Education Scotland is that, for a language to be eligible as an L2, it must be one “which children can continue to study at secondary school to the level of a [National Qualification](#)” (i.e. National 5, Higher, Advanced Higher).

There are currently eight languages that meet this criteria in terms of qualifications. These are French, Spanish, German, Italian, Gaelic (for learners), Urdu, Mandarin and Cantonese.

- The L3 is the second additional language. This should be taught from P5 *at the latest*, although schools can begin teaching from as early as P1. Any language can be taught as an L3 (including those listed as being L2-eligible), as there are no requirements for qualifications to be in place.

Some schools use the L3 as an opportunity for pupils to learn about a variety of languages and cultures. As such, learners may not be taught the same language continuously, and this is in line with Education Scotland guidance.

In keeping with the Curriculum for Excellence, schools have broad discretion in delivering this entitlement. It is for schools to decide which languages to offer, and there is nothing to prevent them from exceeding the terms of the policy, e.g. by teaching an L3 earlier than P5. Of course, any school doing so would be expected to teach an L2 as well in order to be delivering the entitlement correctly.

Current status of BSL within the 1+2 policy

As there is currently no National 5, Higher or Advanced Higher qualifications, BSL can currently only be taught as an L3. As explained above, this does not prevent schools from teaching it from as early as P1. We appreciate that similarities between the terminology of the 1+2 policy and SQA qualifications may cause some confusion. We believe the petitioner could be under the impression that ‘L2’ is equivalent to ‘SCQF level 2’, and that this is required for a language to be taught from

P1. We hope that this point has been clarified, but for a better picture of the relationship between SCQF levels and the National Qualifications the [SCQF website](#) provides detailed information.

For BSL to become eligible as an L2, qualifications would have to be offered as set out above. The intention behind this is to ensure that pupils have the opportunity to focus on a language as they progress through primary and secondary school and receive appropriate academic recognition for it. The SQA in their submission to the committee has set out the requirements for these qualifications to be developed, and the various factors that would need to be resolved.

Future expectations for BSL

As I set out above, it appears that the petitioner wants BSL to be offered more widely from an early age.

The Scottish Government shares the petitioner's vision for BSL to become more widely taught in schools. As part of the Scottish Government's work to drive forward implementation of the 1+2 policy, we are working with Education Scotland, Scotland National Centre for Languages and other partners to promote BSL in schools and develop support material for teachers. I am pleased to report that we are seeing a substantial increase in the number of primary schools providing BSL as an L3, with 113 teaching it in 2020-21 up from 32 in 2018-19. This is why the Scottish Government does not believe the steps being sought by the petitioner are required at this time.

Based on past experience, qualifications being in place does not necessarily lead to the language being offered as an L2 by schools. An L2 should be taught continuously from P1 to S3 so the secondary school of a cluster must provide it. This can be a limiting factor. In contrast, primary schools can offer BSL as an L3 even if the secondary school does not. Ultimately, in keeping with the non-statutory status of the curriculum in Scotland, it remains the choice of schools to decide which language to teach and they will consider a range of factors in making that choice. This includes the confidence of their teaching staff, coordination with the teaching offer at the local secondary school, staff availability and sustainability, and demand or perceived demand from pupils and their parents / carers. It is for these reasons that we do not

believe that the steps being sought by the petitioner are necessarily sufficient to support increased take up of BSL.

BSL may be taught as an L2 in the future, however this will require careful work beyond the development of qualifications. At this time we are focused on exploring with our partners what solutions may be implemented to build on an already positive trend.

Children in Scotland submission of 9 March 2022

PE1867/E Establish a new national qualification for British Sign Language (BSL)

Thank you very much for your correspondence of the 7 February re the establishment of a new national qualification for British Sign Language and thank you for getting touch with us on this issue.

While we are always keen to input when asked, we think it is important that we do so from a well-informed position. BSL is not an area we have directly worked on and has not been something raised by the Inclusion Ambassadors as a priority area for us. The Inclusion Ambassadors network is a network of young people with additional support needs and was formed to ensure the views of young people with additional support needs are heard in discussions about education policy.

We feel that it would be better to seek input from Derek Todd at the [Scottish Sensory Hub](#) who is the lead BSL consultant with the [Alliance](#). His email is [redacted].

Sorry not to be more helpful, but please do get in touch in the future if we can be a potentially useful resource.

Deaf Action submission of 2 March 2022

PE1867/F - Establish a new national qualification for British Sign Language (BSL)

We would like to thank the Citizen Participation and Public Petitions Committee for seeking Deaf Action (DA)'s views and that we support the proposal, although we believe it should go much further for the reasons below;

There is potential with the proposal to develop both an embedding of BSL into the classroom activities in primary schools, via classroom teachers, and simultaneously increase the pool of deaf tutors who can deliver BSL as subject specific courses in schools. Some primary schools employ specialist teachers for science or languages, and a similar approach could apply for BSL. This could be delivered on a Local Authority basis.

Classroom teachers could embed BSL as part of the learning of various topics, but only with a robust package of training materials and support. A local authority employed tutor for BSL could support schools to deliver this, whilst also providing a monitoring function to ensure accurate sign language use in classrooms. BSL does not currently have the publicly available resources that other spoken languages have from which teachers can check pronunciation and articulation of signs, and there is a risk of other signed languages being taught (such as American sign language or the communication system Makaton).

The embedding of BSL into primary schools as a normal tool for teaching all topics would assist more children from varied backgrounds, languages, disabilities and undiagnosed learning barriers to access education. Current multi-modal methods of teaching can only be enhanced by the addition of a visual, kinaesthetic language to assist with learning and expressing new concepts.

Including formalised BSL teaching into schools who have this foundation of multi-modal learning would be a natural progression for pupils to develop their linguistic competences. This does not need to be an 'either/or' approach; BSL can enhance current teaching practice in primary schools whilst also being offered as an option for qualification and specific linguistic skills development.

Headlines:

DA believes there is an appetite for increased provision of BSL in schools, as evidenced by the increase in enquiries for BSL lessons from the public.

We suggest that a two pronged approach would be the most effective implementation of the spirit of the Act, with both an embedding of BSL into the everyday teaching within Primary Education and clear routes to qualification throughout the school journey.

The introduction of basic BSL at Primary level will increase the appetite for qualifications at Secondary level.

Embedding BSL into the curriculum would go a long way to addressing inequalities for deaf people in everyday life.

Current numbers of qualified tutors are insufficient, and investment and planning are required to address this for deployment into schools.

Effective resources need to be developed to support teachers to deliver quality BSL as an embedded language tool for general teaching.

Consultation with existing networks of Deaf Teachers in Scotland, Teachers for Deaf, Parents and Deaf communities needs to be undertaken to get the provision right for all.

We hope that the committee would find this helpful and ask if we could be kept informed of the progress.