



OFFICIAL REPORT
AITHISG OIFIGEIL

Education and Skills Committee

Wednesday 10 March 2021

Session 5



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Wednesday 10 March 2021

CONTENTS

DECISION ON TAKING BUSINESS IN PRIVATE	Col. 1
CHILDREN AND YOUNG PEOPLE'S COMMISSIONER SCOTLAND.....	2

EDUCATION AND SKILLS COMMITTEE

9th Meeting 2021, Session 5

CONVENER

*Clare Adamson (Motherwell and Wishaw) (SNP)

DEPUTY CONVENER

*Daniel Johnson (Edinburgh Southern) (Lab)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)

*Kenneth Gibson (Cunninghame North) (SNP)

*Iain Gray (East Lothian) (Lab)

*Jamie Greene (West Scotland) (Con)

*Ross Greer (West Scotland) (Green)

*Rona Mackay (Strathkelvin and Bearsden) (SNP)

*Oliver Mundell (Dumfriesshire) (Con)

*Alex Neil (Airdrie and Shotts) (SNP)

*Beatrice Wishart (Shetland Islands) (LD)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Bruce Adamson (Children and Young People's Commissioner Scotland)

Jonathan Dorrat

Coll McCail

Abigail McGill

CLERK TO THE COMMITTEE

Gary Cocker

LOCATION

Virtual Meeting

Scottish Parliament

Education and Skills Committee

Wednesday 10 March 2021

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Clare Adamson): Good morning, and welcome to the ninth meeting in 2021 of the Education and Skills Committee. I ask everyone to ensure that mobile phones and other devices are set to silent for the duration of the meeting.

I am working without wi-fi. I hope that—*[Inaudible.]*—be aware that I will not be able to monitor—*[Inaudible.]*—the panel or members—*[Inaudible.]*.

Agenda item 1 is a—*[Inaudible.]*. Members can—*[Inaudible.]*.

Daniel Johnson (Edinburgh Southern) (Lab): Convener, your audio is cutting in and out. I do not know whether that is because you are inadvertently pressing mute. Perhaps I need to step in.

The Convener: I think that you should step in. Thank you, Daniel.

The Deputy Convener (Daniel Johnson): No problem. I ask members and witnesses to be patient as we seamlessly transition. I will take over convening the meeting.

I welcome everyone to the ninth meeting in 2021 of the Education and Skills Committee. Everyone should ensure that mobile phones and other devices are set to silent for the duration of the meeting.

Our first agenda item is a decision on taking business in private. Do any members object to taking item 3 in private?

I see no objections, so we will take item 3 in private.

Children and Young People's Commissioner Scotland

The Deputy Convener: Agenda item 2 is an evidence session with the Children and Young People's Commissioner Scotland.

We are pleased to have the commissioner and, more importantly, three of the commissioner's young advisers with us. I welcome Bruce Adamson, the Children and Young People's Commissioner, and Coll McCail, Jonathan Dorrat and Abigail McGill, who are all CYPCS young advisers.

Bruce and the young advisers have asked to make some brief opening remarks before we move on to questions.

Coll McCail: I became a young adviser to the commissioner's office a year and a half ago. I live in the Borders and I joined because I feel that there is a dearth of opportunities for young people here, so I could not pass this one up.

Twelve months ago, before the pandemic hit, the young advisers had just finished leading and working on the development of the office's strategic plan. We had identified poverty, mental health and climate justice as our priorities. Then the pandemic hit and we had to change what we were doing and how we worked. It has been an extraordinary year. That is a cliché, but I still remember a mate telling me that the pandemic was just like the flu. I had no idea what Covid was at that point, so I probably agreed with him.

It will be a year next week since the Deputy First Minister announced that schools would close and we moved all our work online. Since then, we have been highlighting the disproportionate effect of the lockdown on children and young people, such as the effect on those experiencing poverty and those with disabilities and additional support needs.

The impact of the restrictions on young people has been incredibly understated, largely because we are not as vulnerable to the virus as other generations. We talk a lot about a mental health pandemic among young people as we ease restrictions, but we never really explore what that means or why it is happening.

Lockdown has been incredibly difficult for young people. Overnight, on 20 March, we went from seeing our pals at school every day to seeing no one. When we went back to school, the media and others blamed us for a rise in cases, saying, "You're obviously not keeping 2m apart," but anyone who has been in a school of 1,000 pupils will know how impossible doing that is. There was then the occasional rave or mass gathering, which would be overpublicised and blown out of

proportion and, again, our whole generation would be seen as the villain of the pandemic.

Last year, people talked as if our exams did not matter, and then said that, because we had not sat the exams, our grades would be devalued. When students went back to university, they too were blamed for a rise in cases, although my interpretation is that they had no choice but to go back.

Over autumn, we had in place the rule of six. That was perfect, as we could socialise safely outside. However, over winter, the rules changed and we could see only one friend outside. In my experience, that rule does not work for young people in social groupings, because that is not how socialising works for us. We could not understand how, legally, call centres could remain open but we could not see more than one friend at a safe distance.

Those are just a few of the issues that we would love to talk about today and which explain how difficult lockdown has been for young people. It is worth saying that the First Minister's announcement yesterday that 12 to 17-year-olds can now see four people from four households is incredibly welcome, as it builds back up to the rule of six that was in place earlier.

The Deputy Convener: Thank you very much. I now turn to Bruce Adamson.

Bruce Adamson (Children and Young People's Commissioner Scotland): Thank you. It is wonderful to be with the committee today.

Every day, I tell people that I have the best job in the world: to promote and safeguard the rights of children and young people across Scotland. However, over the past year, that job has been really hard. In April last year, the United Nations Committee on the Rights of the Child warned

"of the grave physical, emotional and psychological"

impacts of the pandemic on children. It asked states to focus on the pandemic as not just a health crisis, but a human rights crisis, and to focus in particular on economic, social and cultural rights.

As Coll McCail said in his introductory remarks, and as the deputy convener noted at the start of the meeting, the most important people in my office are the young advisers and the other young people with whom we work. It is a huge source of pride to me to work alongside amazing young human rights defenders. Jonathan Dorrat, Abigail McGill and Coll McCail are here today, but they are part of a much wider group that represents young people from across Scotland. They have spoken, and been strong leaders, not only in their communities, but at the national and highest

international levels, in speaking at the UN and other places. They are a real credit to Scotland.

It is important that we recognise the amazing sacrifice that the more than 1 million children and young people across Scotland have made over the past year. They really understand the important role that they have been playing in protecting public health by sticking to the rules and showing real resilience, creativity and self-sacrifice. It is important that we put them at the centre of all decision making. As Coll McCail said, their voices have been quite absent, and their rights not properly considered, in decision making.

As Coll said, the impact on some young people, such as disabled children and young people, care-experienced young people, young carers and those in poverty, has been much worse. It is important that we focus on the impact on the rights of those in poverty and recognise that more children are living in poverty, suffering from poor mental health and dealing with bereavement.

When we closed school buildings to most children, although that may have been necessary to protect life and public health, we needed to do more to ensure that children's rights were properly respected. School and early years communities are not just about learning—they are also places of support and safety. I look forward to discussing some of those issues with the committee.

A year ago, as Coll McCail said, we—like everyone else—had to adjust our planning and work differently. Our original priority was the emergency legislation that was going through, and in particular the impact of closing schools and early years provision, and the disproportionate impact of some of the restrictions on children and young people. We focused on aspects such as school meals and giving financial assistance to families; on-going concerns around digital exclusion; and ensuring that children of key workers and children in vulnerable situations, especially those with additional support needs, were getting the support that they needed.

We also addressed—as Coll McCail mentioned—the importance of social interaction for children's development; I hope that we can expand on that today. The right to play and to congregate and be with peers is so important, not only for education but for development. In addition, we focused on the big issue around the Scottish Qualifications Authority and how we could assist and recognise the achievements of children while schools were operating online.

I will mention a couple of other brief points. We did some important work alongside the observatory for children's rights in Scotland in undertaking an independent children's rights impact assessment on the impact of the Covid

pandemic. We also did some work alongside the independent advisory group on policing, which was important with regard to how the behaviour of children and young people in response to the rules was supported by the work of the police. We continued work on some of our investigations, and I look forward to discussing some of that later.

Internationally, we have—this is important—continued to work closely with the United Nations and the Council of Europe. We also currently chair the European Network of Ombudspersons for Children, which includes 43 organisations and children’s commissioners across Europe that are similar to ours. The network has been a powerful way to find out what has been happening in other countries and to work together to set some common standards.

There is some exciting work going on. At present, the most exciting thing is that we have still managed to push ahead with the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Bill to incorporate the convention into our domestic law. The Parliament will be asked to consider the bill at stage 3 next week. It is the most important thing that we can do to secure, respect, protect and fulfil children’s rights, and it will make a significant difference when it comes into force later this year—I hope that the Parliament approves it next week—in addressing not only the immediate concerns arising from the crisis, but the need for long-term cultural change to put children’s voices and rights at the heart of our work.

There is a beautiful symmetry in the fact that the UNCRC bill comes almost exactly 18 years since the office of children’s commissioner was created by this committee’s predecessor, the Education, Culture and Sport Committee, through one of the very few committee bills that the Parliament has taken forward. It is almost exactly 18 years since the Parliament showed its commitment to children and young people by creating the office of commissioner; next week, we will be able to renew that commitment, in the most powerful way, by incorporating the Convention on the Rights of the Child into domestic law.

The Deputy Convener: Thank you. I turn to Abigail McGill. *[Interruption.]* Do we have Abigail online? Is she able to make any opening remarks? *[Interruption.]* I do not hear anything. We will try to come back to her later.

Perhaps Jonathan Dorrat would like to make some introductory remarks.

Jonathan Dorrat: Hello. I have been a young adviser to the Children and Young People’s Commissioner Scotland for about a year and a half. I live in Shetland, so this year, as a result of Covid, it has actually been easier for me to take

part in meetings because I have not been disadvantaged by travel requirements. This year, given Covid-19, has been the most important year of all in which to champion children’s rights and ensure that they are being taken seriously.

In my work with the office and with the young advisers group last year and this year, I have focused on taking part in the European Network of Young Advisers. At the end of last year, I and other members of our young advisers group represented CYPCCS, and Scotland, at the network. We discussed, with young people from across Europe, rights issues that the Covid-19 pandemic threw up, and we made recommendations to the European Network of Ombudspersons for Children on the importance of child rights impact assessments.

Child rights impact assessments became ENOC’s key focus in that year, and CYPCCS hosted the ENOC conference in November, albeit online. This year, Bruce Adamson has been elected as chair of ENOC and, again, its work has focused on Covid-19 recovery across Europe and shared learning and understanding from young people. It is important that we in Scotland have been able to take part in a European project such as ENYA. I look forward to answering questions from the committee.

09:45

The Deputy Convener: Thank you very much.

Abigail McGill dropped out momentarily, but we have her back now. Abigail, would you like to make some introductory remarks?

Abigail McGill: Sure. I am very sorry about that; I do not know what happened. Wi-fi is apparently not anyone’s friend this morning.

I, too, have been a young adviser for about a year and a half. My opening remarks are about the SQA and the exam cancellations. There has been a chronic lack of certainty for young people around how they are going to be assessed. The approach seems to differ across every school, which will inevitably lead to unfairness in attainment when we come to results in August.

The commissioner’s office is very concerned that there are students from last year who are still waiting on an appeal or who were disadvantaged by the appeals process last year. We are just as concerned that the appeals process will not be fair this year either, because everything has been up in the air and nothing has come back down. The SQA has said that it is working with our office, but it is not, and its current appeals process is not rights compliant, specifically in respect of the right to redress and remedy.

At the minute, our future seems to be very much out of our hands. As Coll said, we have been treated as the villains of the pandemic. It has been said that the pandemic was basically our fault and, because of that view, there has been a lack of sympathy and understanding with regard to just how much it has affected our education. We have been brought up to think that exams are everything. For young people right now, that is their world, and they have no say in what is happening. They are not being told what is going on. Some people still do not know what is going on. That is very unfair, and it is not particularly rights compliant either. The experience has been very distressing and disheartening for young people. A lot of people have lost a lot of motivation this year, which has affected their studies.

Like Jonathan, I look forward to answering the committee's questions.

The Deputy Convener: Thank you very much, Abigail.

I now invite committee members to put an R in the chat function if they would like to ask a question. I clarify for our guests that, if they would like to respond to any of the questions from committee members, they can simply go to the chat function in BlueJeans and put an R in the chat box, and I will know to ask them to make their remarks.

We will begin with Iain Gray, who has questions that relate to some of the remarks that—*[Inaudible.]*

Iain Gray (East Lothian) (Lab): The committee has, unsurprisingly, spent quite a lot of the past year looking at the closure, reopening and closure again of schools, the replacement of face-to-face learning with remote learning, and the reasons and evidence that the Government has used in taking those decisions. The opening contributions from the young advisers and the commissioner suggested that they feel that the rights of young people were not given enough attention in those decisions. What, in how education has been handled throughout the pandemic, has failed to take account of those rights? What would you have liked to see done differently, which would have meant that more attention was being paid to those rights that have been abrogated or compromised?

The Deputy Convener: Which of the witnesses would like to comment? Bruce Adamson, let us hear from you in the first instance.

Bruce Adamson: I know that the young advisers will want to come in strongly on that. We were really concerned about the lack of children's and young people's voices in the decision making. A key element of the right to education is ensuring that education lives up to its purpose, which is

about enabling children to develop to their fullest potential. The right to education goes much further than pure educational attainment; it is a holistic right that is about children developing to their full potential both emotionally and physically.

We know that that works best when children and young people are involved in the design and delivery of education and peer-to-peer support. What we would have liked to see, which did not happen, was the strong voice of children and young people involved in all the decisions that affected them. When we knew that schools might have to close, children should have been right at the heart of the discussions about what learning outside school would look like.

We now need a strong focus on children's participation in decision making. Scotland had been a world leader in that regard, and suddenly the pandemic came along and all the great work that had been done in recent years and decades in Scotland, and all the amazing good practice, seemed to disappear, and children were not being involved.

Another key point on which the young advisers have focused—Jonathan Dorrat spoke about it at the international level—is the use of tools such as child rights impact assessments. Those would have been a good way for the Government and others, in making decisions, to assess the impact of their decisions against children's rights standards. Again, despite some progress in recent years, the use of those tools dropped off and disappeared when we came to the pandemic and the crisis decision making.

That was a big reason why we did the independent children's rights impact assessment—because the Government and other decision makers were not doing that work. I am proud of that piece of work, which is now being replicated more widely across Europe, central Asia and other places. However, it is the responsibility of Government to use the tools that are available to ensure that children's rights are assessed, and that needs to be a big part of future decision making. I know that the advisers are keen to come in on that point, so I will stop there.

The Deputy Convener: Great. I will bring in Jonathan Dorrat, to be followed by Coll McCail.

Jonathan Dorrat: As Bruce Adamson said, a child rights impact assessment is a process and a document that the Government can use to ensure that it considers all the rights of the child when it is making a decision. If there had been a child rights impact assessment in place when the exams were cancelled or when schools were closed, the rights of children and young people would have been taken more seriously and considered, but that was not the case.

I was in school last year when the schools were closed, and we felt that there was a lack of communication with young people from the Government, the SQA and other bodies. Often, schools were told that they were closing or that things were changing at the same time as young people were told. Young people had nowhere to go to get further information, because no one knew anything more than they did at that time. Improving communication is important.

Article 3 of the UNCRC says that everything must be in the best interests of the child. If, at the outset of the pandemic, we had looked at the closure of schools and the cancellation of exams with a rights-based approach, and if the best interests of the child had been taken seriously, things may have been different.

Coll McCail: What Jonathan and Bruce Adamson have said is totally right. A rights-based approach to learning, which we should be looking towards, involves putting young people at the heart of decision making. At the very least, it involves giving young people clarity, which we have not had throughout the pandemic. As Abigail said, everything is up in the air and it has not come down yet. There should be clarity at the very least and, ideally, involvement in decision making.

It is important to talk about what we could have done better. When the provisional plans for how exams would go ahead were announced, national 5 exams were cancelled and grades were to be based on continuous assessment, whereas higher and advanced higher exams were still going ahead without the assignment element. We should be looking towards building up continuous assessment regardless of the pandemic, as it removes the pressure-cooker environment that we currently have in schools.

Basing one type of qualification on continuous assessment while making two other qualifications exam based devalues the national 5 qualification immensely. Keeping continuous assessment for nat 5 while removing the assignment element of the higher and advanced higher courses, which is the only element that is assessed externally through exams, sends extremely mixed messages about continuous assessment. You are keeping it or removing it for different qualifications and, in the process, devaluing national 5s. That could have been done better—again, there are issues around clarity and consistency there.

The Deputy Convener: Kenneth Gibson has a supplementary question on that area, but, first, I will go back to Iain Gray, who has some further questions.

Iain Gray: I have a specific question on the SQA, the alternative certification model that was put in place and the work that has since been

done to put a different model in place. I know that the commissioner's office has expressed particular concerns about the appeals procedure. Abigail McGill mentioned that, although the SQA has said that it is working with the commissioner's office in developing the procedures for next year, that is, in fact, not true. What were the problems with the appeals procedure last year, and what has to be done differently this year in order to take account of children's rights?

The Deputy Convener: Who would like to respond to that question? At the risk of putting people on the spot, I have a mild preference for going to the young advisers before Bruce Adamson, if that is okay.

Iain Gray: Abigail McGill might want to say something, as she talked about those issues in her opening remarks.

Abigail McGill: Even before the appeals process was put in place, it seemed that a lot of people, including in my area—I know a lot of them—were majorly disadvantaged in ways that they should not have been. For all that we do not want to say that there is a postcode lottery, which I understand, that is what it seemed to be. It seemed as though the SQA panicked because it was getting a lot of backlash, and it just decided that it was not going to change anything. First, it was going to give people wrong and inaccurate grades, and then it decided that it would give everyone the grade that they wanted. That was not fair, and there did not seem to be any processes or procedures in place.

I understand that it must have been hard to do all of that very quickly, given that the pandemic is a constantly changing scenario and we never know what is going to happen next week, but it is not as though there was not a five-month lockdown in which something could have been mapped out and kids could have been told what was going to happen. In the first five-month lockdown, no one knew what was happening. Young people were not in school, and we just had to hope that what we had done up until that point had been good enough. We were basically told, "We're not going to tell you how we're going to do it or how you can fix it."

As Coll said, there has been an utter lack of clarity. No one was told what was happening or how the appeals process would work. Even afterwards, no one was told how to appeal; we were just told, "Speak to a teacher—they might sort it out for you, or they might not." Some young people did not talk to a teacher and some did, but they still did not get anything solved. In order for the appeals process to be fair, there has to be more involvement of children and young people and teachers, in terms of how they perceive it. They need to look over the process before it is put

in place, to check whether it is fair to young people and that it is rights compliant.

Iain Gray: Do you feel that the process is any better the second time round?

Abigail McGill: I have absolutely no clue, because I have not been told anything about the appeals process this year. I barely know anything about the way that assessments are going this year. My school knows nothing, and I know as much as they can give me, so I honestly could not tell you, because I have no idea.

Bruce Adamson: Deputy convener, I strongly endorse your position of taking the views of the young advisers first. We very much prefer to work in that way. I strongly associate myself with what Abigail McGill has said.

The concerns about last year have been well canvassed, with regard to not putting systems in place and not having proper discussions with children and young people or with teachers and school leadership. One of the big issues that comes up when I speak to young people about what has happened is the lack of communication. We need real clarity in the guidance that is provided to schools, and communication with children and young people has to be absolutely clear as we figure out the best way to recognise their achievements and progress.

The big remaining issue from last year, as the committee knows, is that of appeals and the lack of a proper right to remedy for those children who still do not have the mark that they deserve. There is no way for them to make a direct appeal or to present any evidence that might not have been included and to explain more fully some of the reasons why the mark that they were given was not appropriate. That direct route of appeal is essential for this year.

There must be clear communication that involves children and young people and their teachers in decisions, and there must be a clear route for appeals.

10:00

We need a way of taking into account the fact that young people have had different experiences of education in the past year. That applies particularly to those who are experiencing poverty or who do not have access to some of the digital technology that has been essential to education this year. We must figure out how to properly recognise the amazing work that young people have been doing and how to help them to move on to the next stage of their education or their future, wherever that may be.

Clear communication with children and young people is key, as is clear guidance for schools.

Then we need a clear route for appeals. We must work with every young person to support them to get to the next step. That would be a strong investment in recognising the right to education.

Coll McCail: It is worth noting that there is a fear among young people—and fear is the right word—that, when we go back to school either full time or next week, and because we have missed so much time in school, we will be met with a month or a term of assessment so that teachers can generate enough evidence to give to the SQA. That is scary for young people who are going from a relaxed lockdown in which their routine is how they choose to set it to a possible month of test after test. If you are doing five highers or six national 5s, that has the potential to be hellish.

Kenneth Gibson (Cunninghame North) (SNP): Bruce Adamson and others have emphasised the need for a strong voice for children and young people at the heart of any decision-making process that affects them. What are the practicalities of that? Who would those young people be? How would any young people who would speak to local authorities or to the Scottish ministers be chosen? How would age, geography and social class be taken into account?

Coll McCail: Any committee of champions for young people would have to take geography into account. Jonathan's experience, for example, has been very different from mine. It would also have to take account of social class, because of the disparate experiences of online learning. It would have to be representative and would have to be taken seriously—it should not be a tick-box exercise. The SQA is very fond of surveys that consult young people, but it would be better if every decision that was taken by the SQA was run past a representative committee of young people. Then, young people really would be at the heart of decision making. I do not see an issue with such a set-up, which would be representative.

Jonathan Dorrat: When it comes to speaking to young people and getting them involved in decision making, I know that, at the very top level, a member of the Scottish Youth Parliament sits on the education recovery group. That is definitely a good step forward that has happened since the first exam results fiasco.

There was also mention of the local authority level and schools. I am a firm believer in pupil councils as a very important way of young people in schools being listened to by headteachers and the local authority. In the future, young people's—*[Inaudible.]*—could reach out to local authorities to show what is happening in schools and could take part in local decision making on such things at the local authority level.

Abigail McGill: I completely agree with Coll that geographical issues would have to be taken into account. As I know from talking to Jonathan, his experience has been completely different from mine. I do not live that far away from Coll, but we still have completely different experiences of all of this.

As Coll said, the SQA is very fond of surveys, but it feels to me as though only certain people take those surveys. Very few people get the email for the survey and even fewer will actually bother to take it. Even then, I tend to find that the surveys are about the website and not about young people's opinion on what is affecting their future.

Later today, I will be talking to my local authority about online learning. I think that that is a really good step forward, and I am really happy that the local authority has reached out and asked young people to do that. I am a young adviser, so I am quite happy to speak out, but for other young people, first, the opportunity is probably not presented to them and, secondly, they would not know how to speak out. As Coll said, there is a class issue that has to be taken into account.

Practicality could also be an issue. Yes, we are young people, and yes, it could be difficult, but it needs to be dealt with, regardless of how practical or impractical it is. It needs to be done—a way to work with young people just has to be found. It is possible to find ways around the practicalities.

Bruce Adamson: That point is really important. It is probably my biggest disappointment, because Scotland was really good at it. Scotland has been a world leader in it, so it was not a standing start.

We have incredible civil society organisations that have done world-leading participative work—for example, the Children's Parliament; the Scottish Youth Parliament, which is very proud of saying that it is a day older than the Scottish Parliament; and organisations at every level, such as the champions boards that represent care-experienced young people. To my mind, Scotland probably has the strongest children's civil society in the world, and it has been really amazing at that participation. The young people were already there and wanting to give voice to what was going on. We have also seen new groups such as SQA: where's our say?, which have coalesced around particular issues and have been a really strong part of the conversation as well.

Through rights-respecting schools, but also through other programmes, every school that I visit has strong participative approaches. The children and young people were already there and ready to give their voice, and they were already well supported, particularly through civil society organisations and schools. We should have tapped into that talent and the stuff that was

already there, building that into the decision making.

As Abigail McGill said really clearly, it goes right to the legitimacy of decision making. Yes, there are challenges—we are all moving online, and decisions needed to be made quickly. However, the tools were there and, traditionally, we have used them quite well. Something went really badly wrong as we went into crisis mode and we did not use those tools that were available.

It is great that, as in the example that Jonathan Dorrat gave, we are starting to do that now by putting members of the Scottish Youth Parliament into the education recovery group and other places, but that has been a really slow process. Had we involved children and young people in a more systemic way at the beginning, I think that we would have got better decision making. That is probably the biggest learning point as we move through the rest of the pandemic and out of it.

The Deputy Convener: Before we move on to the next question, I will ask for one point of clarification.

Abigail McGill stated that the lack of clarity pertains not only to the appeals process, as there continues to be a lack of clarity regarding assessment this year among both candidates and teachers. Is that view or sentiment shared by the panel as a whole? I see people nodding, so it is. Good—that is an important clarification for the committee.

I will now bring in Jamie—

Kenneth Gibson: Hold on, deputy convener. Can I come back in just for a second?

The Deputy Convener: Yes.

Kenneth Gibson: I have a wee follow-up point to make. Thank you very much for letting me back in.

I served on the Glasgow schools council as the first directly elected pupil representative from my school, elected by the pupils themselves. We had one parent, one teacher and one pupil from each school. This session has reawoken long-buried memories of that.

Although I am very supportive of liaising with schools and ensuring that pupils' views are presented, we have more than 400 secondary schools in Scotland, and the issue is ensuring that the voice that is presented to Government by our schools and young people is representative. I appreciate that we have a Scottish Youth Parliament, but we must ensure that the voice of pupils in schools is directly represented and we do not have a situation whereby people who purport to speak for younger people do not necessarily represent their views. It is about the mechanism

we develop to ensure that we have a true democratic voice coming from our schools, as we did more than 40 years ago, when I served in such a capacity—way back when.

The Deputy Convener: Thank you, Kenny. I will not ask how long ago it was that you served as your school's representative.

Kenneth Gibson: It was in the 1970s.

The Deputy Convener: I will now bring in Jamie Greene.

Jamie Greene (West Scotland) (Con): My school experience was, thankfully, much more recent than that, but it was still quite a long time ago.

I have a couple of questions. Not everyone needs to reply to each of them, so witnesses should feel free to jump in if they think that the question is best suited to them. I will ask two questions, one of which looks back and the other of which, more importantly, looks forward, to get you thinking about that.

Looking back, what specific actions or measures did the Government take over the past 12 months that you wish either had not been taken or had been handled differently? Do you feel that the needs and interests of young people have been at the forefront of decision making as we have gone through this awful past year?

I will just pick on someone if you do not wave at me. Bruce, you will be first in line. *[Laughter.]*

The Deputy Convener: Do not feel that you have to respond if Jamie picks on you—I would like to reinforce that point.

Would any of the young advisers like to speak to that first?

Jonathan Dorrat: Of all the decisions that were made last year, the one that definitely comes to mind is the algorithm used by the SQA, through which it thought that it could change the marks and grades given to young people by teachers depending on previous attainment and, basically, where they live. That decision, albeit that it was taken by the SQA and not directly by the Government, was definitely one of the most damaging ones. We see today that people did not get into uni because of those grades and that people still have not had access to a fair appeal because that decision was made. It did not take into account any of young people's interests or rights at that stage.

Bruce Adamson: I am always happy to be picked on, but I strongly encourage the young advisers to get their voices in first, so thank you for that.

It has been really challenging over the past year, and Governments all over the world have struggled. However, it goes back to the point about taking a rights-based approach, particularly around children's involvement in the use of tools such as impact assessments. The failure to do that led to issues whereby children's rights were not prioritised.

10:15

I am hugely concerned about the rules on socialisation in particular. The focus on schools is important for the vast majority of children and young people who are in school, but there are broader issues. If, to protect public health, they cannot be in the school building, which children and young people fully understand, how will we ensure that not only their right to education but their rights to development and socialisation are respected?

A lot of decisions on the rules did not take into account the point that some of the young advisers made earlier about the peer relationships of children and young people being different, particularly through the older childhood years, when socialisation takes place in bigger groups. We were slow to take decisions on recognising that the rules for older children needed to be different, particularly on the restriction on 12 to 17-year-olds socialising. I understand that those rules will change at the end of the week. That important human rights point was missed because we were not talking to children and young people properly about what would work for them, taking into account the public health risks.

The really big one is poverty, which was the biggest human rights issue that children and young people in Scotland faced before the pandemic. We all knew that; the UN special rapporteur came over and told us in great detail about the fact that we needed to make changes to address poverty as a human rights issue. Then Covid came along and made things so much worse for families that are experiencing poverty. There were children at home trying to access education and socialisation without the technology that they needed. Although it was welcome that the Government came in with a significant investment towards that, it was slow. That decision could have been made much earlier and we could have ensured that the devices got to children and young people much sooner. The impact was really problematic.

The additional supports that children and families get through school—school meals and access to counselling and other support—were taken away, and the community-based supports that people get through sports clubs, arts and culture clubs and being in the community all

dropped away as well. We were not quick enough to recognise that as an important rights issue or to put in place other supports for families.

Getting direct funding to families was really important, but we were slow in doing that. We did not do enough to see social security as a children's rights issue or to see the impacts of the pandemic on poverty as a human rights issue. We needed to address that much more quickly and to talk to families about what support they needed. Digital technology and direct funding were two big parts of that.

Child protection supports have been important, too. Before the pandemic, we were reasonably good in Scotland at getting in contact with and getting direct support to families that we already knew needed extra support. However, we did not do enough to identify and support the big tranche of families, children and young people—families that were really struggling—who suddenly needed support that, in normal times, they would have got from universal services and from being in school and in the community.

The big learning from the pandemic comes back to using tools such as impact assessments and participation. We really need to involve children and young people in identifying needs as well as solutions.

Jamie Greene: I see that Coll McCail wants to come in. Have the restrictions disproportionately affected young people? For example, many young people have not been able to meet indoors since last September, which is around six months ago. There was only a short window of opportunity during the summer for people to meet indoors, and the restriction has come during the winter when it is more difficult to meet outdoors. When we looked at setting blanket restrictions that would affect the whole of society, should we have considered how the restrictions would affect young people specifically? I will lump that in with my first question.

The Deputy Convener: Jamie is right—I forgot to come back to Coll.

Coll McCail: That is an interesting point. The example that I use is that, when we went back to school in August and up until October, we were sitting in classes of 30 people and, at the start, we did not have masks on. At that point, we could still see only six friends outside, but I could see 30 of my friends and classmates in seven classes a day and could socialise with them at lunch—there were attempts at distancing but, practically, that was incredibly difficult. It was incredibly confusing that we could socialise indoors at school but, as soon as we stepped out of those doors at 3.40, we could see only six of our friends. That was incredibly challenging and is an example of young

people not being at the centre of thinking—they have been somewhat neglected, I suppose.

There are issues that inevitably fall through the cracks. A specific example is that, this year, sixth years will be staying in school until 25 June. Normally, they would leave in early May, when study leave starts and when exams are finished. The summer before we start uni, further education or whatever is an important time, and we will be in school for longer. Whether that is an issue or not, it has not been talked about or even necessarily acknowledged.

What Jonathan said about the algorithm is obviously incredibly important.

There has been a certain neglect. The schools example shows not that there has been hypocrisy but that the decisions have not been thought through from the perspective of young people. I do not know whether that is because they have not been involved.

I hope that that answers the question.

Jamie Greene: That is really helpful. It hits the nail on the head. You wonder whether some of the decisions were seen through the prism of young people and whether they made sense. In wider society, a lot of the restrictions did not always make sense at the time, even though people understood why they were necessary. That is a very good point.

I also want to look forward. What are the main lessons that we could learn from this experience? Although the experience has been largely negative for most of society, I hope that we can take some positives from it. What would you like the Government to focus on in the coming months and years as we, I hope, emerge from the pandemic? Is the system geared up to deal with the fall-out from the past year, specifically in relation to young people's mental health?

Coll McCail: We have the most amazing chance—more so than we have ever had before—in relation to exams. For two years now, we have used a model of continuous assessment. This is the chance to look at reforming the education system in that regard, because there is a perception—certainly among young people—that exams are outdated. After working for a year, being assessed on two hours of work in a pressure cooker environment in May might work for some, but it does not work for the majority.

The positive aspect of the pandemic, if you like, is that we now have the chance to use the models that we have had to put in place as building blocks for a new and perhaps more progressive and enlightened approach that does not have its roots in Victorian education. That would be incredible.

Abigail McGill: I will come off the back of what Coll said. There has been so much change in education over the past few years—the most recent example is probably the change from standard grades to national 5s—and content gets changed all the time, but for God knows how long we have still been doing exams. Last year was the first time since 18-whatever that exams have been cancelled, which was a huge thing and made a lot of people ask why we are still doing exams and why that has not changed.

Had young people been involved in the decisions and had a bit more clarity, I feel that this year would have been a lot less stressful for young people, given that we would have known that everything did not rely on one two-hour exam or on five two-hour exams, depending on the number of subjects that you had taken. Continuous assessment needs to be looked at, because I for one was overjoyed when I found out that we were not doing exams—it made me so calm.

That model makes the year such a smoother ride. It can lead to slightly heightened levels of stress, but it makes the year easier. If there is one positive thing that we can take from what has happened, it is that all the stress and anxiety of young people during this time has been reduced by the fact that there will not be a huge exam in May. Our whole year—or however many years for which people have been working towards one exam—will not come down to a single day.

We have to take a look at that, but young people should definitely be involved in that process. It should not be about a group of adults sitting around, discussing whether an exam should be a thing; we have to take the views of young people before deciding whether it is a widespread issue. Alternatively, that could be just my and Coll's preference. We are two people, but we are not representative of the entire group of young people in Scotland.

Jamie Greene: I know that Rona Mackay has a similar question on mental health, but I wonder whether we could cover that, too. It is a really important issue for everyone, including young people.

The Deputy Convener: Agreed. I will bring in Jonathan Dorrat.

Jonathan Dorrat: The pandemic has obviously had a huge impact on the mental health of young people. Added to that is the pressure caused by disruption to schools, which has had a further impact. There is one positive factor that I could take from it. I do not know whether this is yet the case across Scotland but, in Shetland, a school counsellor service started last October. It has been really good to see that young people can access support for their mental health both in our

local community and in school, which is important. As we move forward, that approach could be increased across the country, which would improve the services that are offered to young people.

We should also learn lessons from our experience of online learning. In Scotland, we have had the glow online learning system for a while, but it has never been tested in the way that it has during the past year. That has shown up quite a few flaws in the system and what different schools across the country understand online learning to be. My experience is that I have a few live lessons with the teacher each week, but I have spoken to other young advisers from across Scotland who either do not have those or use different platforms, and some have been expected to sit in live lessons for the whole day. That is just not fair to everyone. If we were ever to go back to online learning in the future or to use it as part of a blended system, we would need to try to make it fairer for pupils across the country.

If you do not mind, I will go back to the question—I cannot remember who it was from—about ensuring that young people are listened to at local authority level. I am also a member of the Scottish Youth Parliament, representing Shetland. I know that MSYPs from Shetland have a place on the local authority's education and families committee. That is one way in which we have been able to represent, at local authority level, young people who are in school, so that is another way in which they can have their voices heard by decision makers.

Bruce Adamson: The young advisers have covered the issues really well.

I come back to what we need to learn as we go forward. I am still managing to speak virtually to lots of children and young people in groups and through schools. I always ask them whether there are any positives about their experience of the past year. Many of them point to real positives such as spending more time with family and building relationships there. Children and young people have talked about a growing sense of community solidarity, in that they have been getting to know their neighbours and their community a lot more. They have spoken a lot about building online communities through things such as PE with Joe, and being part of something bigger such as drawing rainbows in windows and clapping for the national health service. Children have been feeling more connected to their communities and are keen to hold on to that.

I have talked about the fact that technology has become a bigger part of adults' lives as they have been learning new skills. We also need to celebrate the resilience that children have built up

and encourage it to flourish even more, because that is really powerful as well.

One interesting view that I have heard from children and young people is that some attitudes might have changed towards issues such as the stigma that is associated with poverty, now that addressing poverty is being seen as an important way of addressing the impacts of the coronavirus. Young people are concerned about some of those social attitudes and about the stigma around poverty. They look at social security as a human right. Perhaps some of those values issues could be taken forward, too.

10:30

There is also a huge amount for us to learn about what did not go right and what we must change. I appreciate that we will come on to some of that. There has been a generally disproportionate impact on disabled children and those with additional support needs, and that has particularly affected their education. Those children have struggled to get the support that they rely on. The rules have been difficult for autistic and other neurodiverse children and young people. They may have been at greater risk of negative interactions with the police. There is a lot for us to learn about that.

Mental health is vital. Poverty and mental health were the two biggest issues leading to a divide before Covid, and that is so much worse now. We must get support to every child and young person, and to their families. Parental mental health is important. Addressing that will be one of the most important things that we do as we come out of Covid.

Two other groups that we have not covered are care-experienced young people, who have had a different experience, and those who are in conflict with the law and the criminal justice system. There are concerns about how we are failing to prioritise their rights and about the number of young people in secure accommodation or in young offenders institutions. We did not do enough to focus on their rights and to look at the other ways in which we could keep them safe.

There is a lot that we can learn about what we could do differently. We owe it to children to listen to them about the positive things that they want to retain as we plan what life will look like post-Covid.

Beatrice Wishart (Shetland Islands) (LD): This has been a very interesting discussion. Jonathan Dorrat is a fellow Shetlander, and we have met several times in our respective roles. We recently discussed mental health issues. Jonathan and his Scottish Youth Parliament colleague made a point about preventative work and the need to embed emotional resilience and mental health and

wellbeing within personal and social education. What are the views of the other witnesses on that?

This is not just a shout-out for Shetland, but I also met a young people's group called chillax, which works on emotional resilience and peer-to-peer support. They were doing that before the pandemic. How much more could be done, for example through youth services?

Abigail McGill: There is a lot in those questions and you word them well. You are all very good at your jobs.

The Deputy Convener: Do not tell them that, Abigail.

Abigail McGill: I agree that it would be good to include more about mental health and wellbeing in PSE lessons. We have come on in leaps and bounds in the past few years regarding the stigma around mental health, but that has to be done incredibly carefully. I have noticed that, although the stigma is still there for some young people, suffering from mental health issues has become normalised to the point where those who do not suffer those issues believe that they are not as serious as they are.

Unfortunately, a lot of teachers do not seem to understand the impact of poor mental health on young people, especially in education and senior education. I completely agree with putting in more stuff about mental health and wellbeing, but, in order for teachers to be able to teach kids in PSE, I think they need to have a greater understanding and more empathy and compassion for those young people. I do not know how much they talked to young people before they put in the measures in the current PSE lessons. I know that there is some discussion. You would have to talk to the young people to figure out what those suffering from various mental health issues want other people to know in order to de-stigmatise it. That is probably the main issue surrounding mental health: the reason why a lot of people do not talk about it is that there is increased stigma.

I have not read a lot about peer-to-peer support. I know a little bit about it and I think that it is a really good idea. My school almost did it, but I do not know what happened. I think that we did not have enough peers, so it fell through.

I volunteer with an organisation that does a peer education thing that seems to work really well. Something around that for mental health in schools would take away a lot of the fear of having to go and talk to an adult who you do not think will understand. If talking to a peer was implemented in more schools, that would be a real benefit to young people.

Coll McCail: The point about using PSE is incredibly interesting. The idea of giving children

and young people a period a week of personal and social education is spot on. It is amazing, and it could be so much better than it is. I feel like we are wasting PSE in that regard. There are still these perceptions taught in PSE that sex, drugs and alcohol are the devil. That kind of idea is still there, although it does not relate to mental health.

Over lockdown, we have not had PSE and I think that young people miss it and have missed out on it. With regard to making mental health more a part of PSE, peer-to-peer support sounds incredible. That could be part of a wider analysis of how we can make PSE more inclusive and better in the aftermath of the pandemic, learning from what we have experienced with regard to remote learning and being slightly more progressive.

Beatrice Wishart: Thank you, Coll and Abigail; you have made very interesting points. I will pick up on Abigail's earlier point about the stress and anxiety with exams. I know that a lot of young people may feel demotivated—Coll touched on that as well—by the pressure when they go back to school and have a month of assessment. How will we motivate people who have been demotivated by that experience?

Jonathan Dorrat: Speaking for lots of people everywhere, motivation is such a difficult thing to get when you are online—even for people outside school who are working from home, I am sure. It is just not the same working environment. I agree with Coll's point that there is a fear that, next week and after the holidays, when we supposedly go back to school full time, there will be a lot of assessments and all that. The fact that there might have been a lack of motivation needs to be recognised when people go back to school. They should be allowed a few days to get back into a routine in school, so that everyone can be their best when they sit any assessments and not be disadvantaged by the cliff edge of coming from online learning at home to normal school between one day and the next.

Abigail McGill: I will be quick; I am aware that I babble a lot.

We have used the word clarity a lot, but it is important. That means knowing what you are studying and working for and that you are not doing it for nothing.

A lot of my close peers had a lot of motivation for prelims that were supposed to happen before Christmas, but they did not happen. We were then told to keep studying for an indefinite amount of time. If you do not know what you are studying for or what anything is going towards, you are not involved in your education and you are told, "Shut up and get on with it"—sorry for saying shut up; I should probably have used a better phrase. That

makes it hard to retrieve motivation when you have lost it.

It is going to be very difficult, and, as Jonathan said, adjustments and allowances need to be made for those who are going back to school next week and have completely switched their life around. I know a lot of people whose siblings use computers during the day and they work throughout the night, so it will be a huge adjustment for them to get back up and do school work throughout the day. There must be allowances for that kind of thing, as well as an understanding that not everyone will have had the same experience with online learning, which means that not everyone will be able to adjust as quickly to the onslaught of assessments that we will inevitably have when we go back.

Bruce Adamson: Abigail's definition of babbling is something that is far more articulate than many of us are able to be on any given day.

The young advisers have captured the situation well. It is important to recognise that mental health was one of the biggest human rights issues before Covid. It was the subject of the thematic work that the European Network of Ombudspersons for Children did in 2018. The previous group of young advisers from Scotland were involved in that, and they highlighted it as one of their biggest concerns. Children of every age group, all across the country, raised it prior to Covid, and some of the responses that followed from the work that ENOC did—such as the commitment to put more counsellors into schools—were welcome.

We need to increase the investment in this area. Young people have said very clearly that they think that such investment works, because, if universal supports are available in places such as schools, that takes away some of the stigma of having to access health-based systems.

The huge asset that we have in Scotland is a strong youth work sector. The work that it does in supporting young people's mental health needs serious support and investment. That is an essential part of the right to the highest attainable standard of health. It also the impacts on every other aspect of children and young people's rights.

The impact of poor mental health on physical health, education and the ability to socialise and develop is profound. Therefore, prioritising investment and using all available resources to the maximum extent possible in supporting children's mental health—for all children, not only those who need clinical interventions and support—is the best investment that we can make at the moment.

The risk of not putting those supports in place will be catastrophic, so every child and young person and their family need to be able to get some support. They need someone who is able to

build up a relationship of trust, figure out how best to support them and build on the strengths that children have told me about. Those include the pride they take in themselves. During the past year, they have adapted, stuck to the rules, supported their families and recognised the big impact of parental mental health—because parents have struggled as well. Children have shown huge strength in supporting their parents and siblings through what has been a horrible experience.

We must build on the strengths that we have all across Scotland. With regard to investment, we need to get trusted professionals in and around children and young people to do an assessment of what they need and how best to support them.

Youth work is important, as are sports clubs. We need to get investment into the places where children are. That is the most important thing that we can do, alongside strengthening the clinical responses. NHS colleagues in paediatrics have said that mental health referrals are now higher than those for physical health. That is hugely concerning.

We need to focus on both, but I stress the point about investment in things such as youth work and school-based counselling. Investment in the things that get in and around supporting families is the best possible investment that we can make during the next few months and years.

The Deputy Convener: I am keeping an eye on the time, although the committee can go past 11 o'clock, so I am not overly concerned. Beatrice Wishart, does that cover your main line of questioning, or do you want me to try to come back to it at the end of the meeting?

10:45

Beatrice Wishart: If there is time at the end, I have other questions. My colleagues have heard enough from me; they need their opportunity, too.

The Deputy Convener: Great. I will bring in the convener, as I believe that she, too, has questions in this area.

Clare Adamson (Motherwell and Wishaw) (SNP): Thank you for stepping in this morning, Daniel. I have been able to catch most of the meeting. It has been a really good session, and the contributions from the advisers have been invaluable.

I want to link it back to some of the work that the committee has been doing. I heard what Abigail McGill said about the pressures of exams, and we are all awaiting the findings of the Organisation for Economic Co-operation and Development review of the final phase and of curriculum for excellence, which I am sure will come to the fore in the next

session of Parliament. I am really pleased to hear the positive comments from Bruce Adamson and Jonathan Dorrat about counsellors. The committee has undertaken investigative work on that, and we were due to visit Wales, which rolled out a similar system. Unfortunately, Covid had an impact on that, as it has had on everything, and we have not been able to continue that work. We will feature it in our legacy paper.

In Jonathan Dorrat's opening remarks, he said something quite profound. He said that he felt that Covid had allowed him to engage more, because he has been included in meetings, such as this session. The Parliament will have to think about how we go forward in the future in that regard. My colleague Gail Ross MSP, who lives in the north-east, has given a very vocal contribution on that. She said that everything that she had asked for to make it easier for her to engage in the Parliament, all of which she had been told was impossible, became possible under Covid.

How do the witnesses think that the positive parts of the situation under Covid can go forward? I am thinking, for example, of our work on subject choices. Do you think that it could now be easier, if you wanted to study a subject that was not available in your school, to use best practice to create a pool that would make that possible? How will you be able to engage more in wider society—with people such as the children's commissioner, the Scottish Youth Parliament, uniformed organisations and other organisations—as a result of our learning from the experience of people being able to participate in the way that we have been doing?

Jonathan Dorrat: To be clear, I have never actually been excluded from any meetings that were held in person due to transport issues, but travel costs not being a burden and meetings happening more frequently have been helpful. I have been excluded from other opportunities due to the geography of where I live, but that was not the case with Bruce Adamson's office. It has been very inclusive of me.

Online communication has come so far compared with what it used to be. It has definitely opened up many opportunities. It is important that we make sure that children and young people are happy with whether something is online or in person and that they are listened to about that. They must also be listened to about whether they are comfortable taking part online, even after the pandemic, whether it is for school or other, external opportunities.

Coli McCail: The point about subject choice is incredibly important. I am in the Borders, so I appreciate that completely. I have never found it fair that, purely because of the catchment area that I live in, I cannot do subjects that those who

are in the city can do, whether that be for broad general education or at an exam level. There is huge potential to have virtual and online education in subjects that are not available in rural areas—the potential is incredible.

There is a general feeling in rural schools that we are cut off from subjects that we would like to do. Edinburgh and Glasgow schools have an incredible array of subjects that rural schools do not, through no fault of their own but because of how remote they are. The prospect of online learning in subjects is incredible, and it would be very popular among young people in rural areas who have been cut off from subjects that they would like to do, purely by virtue of where they live.

The Deputy Convener: Clare, can I bring you back in?

Clare Adamson: I am fine. I just add my thanks for the session this morning. It has been really helpful.

Oliver Mundell (Dumfriesshire) (Con): I am interested in following up the issue of rurality. I feel very strongly that the pandemic has exposed the challenges that young people in rural areas face because of poor digital connectivity and a sense of remoteness and isolation, with many not having friends on their doorstep as others might imagine. Do witnesses think that that is an issue?

Jonathan Dorrat: Connectivity is definitely an issue in my community, as I am sure it is in Coll's, in the Borders. Although I live on an island that is far away, I have pretty good internet, but it is definitely an issue, particularly in further out areas. Sometimes, it is assumed that, if one person has good internet in the area, everybody does, but that is not necessarily true. I am sure that that is the same on the Scottish mainland. For example, if one person in Edinburgh has good internet, it is assumed that lots of people do. Differences in connectivity are never really taken into account. Maybe we need to look at that through schools. If teachers know which young people have connectivity issues, steps can be taken to fully support them with online learning.

The Deputy Convener: In the absence of any of the other young advisers coming in, I will go back to Bruce Adamson, but I note that I do so reluctantly. *[Laughter.]*

Bruce Adamson: I take your reluctance in the spirit in which it is intended, deputy convener. That is an important point. Last weekend, I was at a Scottish rural parliament session with young people. It was interesting because a lot of the young people in rural communities were talking about the strengths of being in those communities. A lot of the schools that I have been visiting virtually in rural communities have also highlighted

that their experience of lockdown has been a bit different—young people have maybe had more access to open spaces, the environment and things like that, but they are generally further away from their friends.

Connectivity is key in relation to that sense of isolation and the impact on mental health, but, again, those issues pre-existed Covid. At the session, some young people made a very interesting comment that they felt that other young people were experiencing what they were already experiencing in relation to isolation and disconnection, and that, in fact, they were better placed because they were used to those issues. That is not to say that we do not need to address those underlying issues, but I was hugely impressed with the strength-based approach that was talked about not only by the young people at the session but by the young people from the primary schools.

One of the amazing things about Scotland is the beauty in rural communities—I am talking about crofting, the environment and our coasts, for example—and young people are huge champions for Scotland. Many children in rural communities have told me that some of their most positive experiences of the pandemic have, in many ways, been because of the advantages and strengths of being in rural communities, including that in-built sense of community, solidarity and helping each other, although they were also very much focused on the challenges of digital technology and the distances that people have to travel.

Some young people have also talked to me about the challenges that they face in relation to the current restrictions. If they live near the border of a local authority area, their friends or their school might be across that border and under different restrictions. Alternatively, they might need to travel longer distances to see their friends, and they are concerned that that might put them at risk of breaking the rules. More work needs to be done on some of those issues.

However, I have been hugely impressed with the strength-based approach that young people from rural communities have talked about. Our approach should be about capturing that and improving digital connectivity—as well as physical connectivity, which is a big issue any time that I speak to young people in such communities. Quite understandably, we have a lot of conversations about transport. Theirs is a really powerful voice in how we should go forward. It has impressed me that they have lots of ideas about building digital connectivity, which will also be of huge benefit to children in urban communities. They also have real love and passion for the environment, which we know has an important link with our mental health.

Oliver Mundell: That was a helpful answer.

I want to ask about something at the other end of the spectrum. My question is perhaps more for the commissioner than for the young people who are with us. I am particularly concerned about the experience of children who are at the early years stage, and even newborns, who often miss out if they do not go to a formal childcare setting or do not fall within one of the exceptions to the restrictions in that regard. Many young children have limited contact with family, friends and others. Are those issues on the commissioner's radar as we start to look at the opportunities for easing restrictions?

Bruce Adamson: Very much so. We know just how important the early years are. One of the big concerns is ensuring that pre-birth and other forms of intensive support are provided to mothers and families, which has been a challenge. The experience of anyone who has had a new baby over the past year will have been very different regarding their ability to access such support, particularly community-based support. It is welcome that there have been changes to focus on the need for that. However, it is a difficult time for everyone, particularly under the current restrictions.

Again, the focus needs to be on ensuring good parental mental health and providing support. Health visitors and community nurses do an incredible job in that regard. Our approach should be about getting support to the family around their child and ensuring that their socialisation and development happen and are structured. From talking to parents, I know that they are concerned about their babies not being used to seeing other children or not being used to even going out. We will need to pay careful attention to that and invest in the early years, which are so important. Quite understandably, a lot of the focus has been on schools, which do so much to support children's rights. However, we also need to look outside the formal structures, to ensure that there are community-based services that can go in and provide families with the all-round support that they need. That is another area in which we will need to be clear about using resources effectively to support families during children's early years.

Ross Greer (West Scotland) (Green): I have two questions. In the interests of time, I will direct the first towards the young advisers and the second to Bruce Adamson.

A constant theme in our discussion has been about the state's communications with young people—whether those come directly from the Government or from local authorities, schools, the SQA or wherever—not being as good as they need to be, certainly in the past year. There are often challenges, and members of the Scottish

Parliament are familiar with those. In our inboxes, we receive many complaints from young people and teachers who are really frustrated when they find out about a major change affecting education because they have seen it on the news or on social media. Sometimes, that is unavoidable, because the biggest changes must be announced to Parliament first and, obviously, the moment that they are announced, they are reported.

11:00

However, there are other occasions when we would strongly agree that communication with young people or their teachers has not been strong enough. How do we improve direct communication, such as from the SQA to pupils? As has been mentioned, there is now a young person on the education recovery group, which is fantastic, but it is obviously not Liam Fowley's role to communicate with every other young person in Scotland. How can public bodies such as the SQA communicate more effectively directly with young people rather than through proxies? The core messages can be lost in the process of going through a council and then a school, before eventually reaching young people.

The Deputy Convener: Ross Greer is hoping that the young advisers will respond to that.

Jonathan Dorrat: Communication is really important. The SQA usually works through schools, so it might be difficult for it to contact young people directly, although that is possibly the best way. People will know that it is from the SQA if it is done directly; when it is done through the school, that is not necessarily clear, assuming that young people get the communication from the school in the first place.

If a communication is sent directly to parents, it does not always reach young people. If it were to come directly from the SQA to young people, it would be clear who it was from. Perhaps the SQA could directly contact young people through the post, because it has pupils' addresses for sending out certificates. On the whole, though, the SQA does not have many ways of contacting young people directly.

Coll McCail: What Jonathan says is spot on. As part of communication, we need to properly brief teachers. I feel sorry for teachers, because they are the only people who young people have to ask questions of about education and what is going on—which units of courses are or are not going to be dropped and so on. They are the only immediately accessible people for us to put those questions to, but they are as uninformed as we are. The communication in certain schools might need work, but, if we could work on a structure in which schools were briefed properly and fully,

teachers would then be fully briefed and able to field young people's questions so that we felt more informed and not on a cliff edge. That is my suggestion.

Abigail McGill: I agree with what Coll says about informing teachers and schools because, if we hear about something to do with education, the first thing that we do is go to a teacher and ask them. I feel sorry for my biology teacher because, this year, that is all she has had from us, and every time, she just says, "I don't know. I know even less than you." Sometimes, we go to her with information that she has not heard yet, which is pretty atrocious.

Direct email and social media communication from the SQA could go a long way, because there have been many times when I have seen a wee Instagram advert from the SQA, saying, "Take a survey on our new website," "Evaluate the new website," or "Learners, this is for you"—we see that a lot. For me and my peers, social media is probably the best way to go. Not all of us check our emails every day, although some people do. Communication by email and post would be a good idea, although I am not sure about the practicalities of doing that.

Social media is probably the best way to go—you just have to make sure that people know that it is from a reliable source. I am much more likely to believe the SQA official Instagram, Facebook or Twitter accounts than I am to believe some random second year having a wee rant on Facebook, but there are issues that need to be worked around. The SQA is untrusted at this point, so it would take a huge step for young people to start being more involved and to build that trust again.

Ross Greer: That was all valuable and useful. On Abigail's point about the need for the SQA to rebuild trust, that will be critical not just in the short term but for years to come.

My next question, which is probably best directed to Bruce Adamson, goes back a little and is about the SQA's historical familiarity with equality impact assessments and child rights and wellbeing impact assessments. In sitting on the committee during the past year, I have found it very hard to piece together the process that the SQA followed for last year's alternative assessment model. However, I got the distinct impression, based on some of the things that came from your office, that the SQA was not nearly as familiar with equality impact processes as it should have been. Can you comment on that? From your engagement with the SQA, what has your office been able to understand about the SQA's processes in that regard?

Bruce Adamson: It has been very challenging. Last year, one of our concerns was that engagement was pretty limited—it was quite hard to have those conversations. Obviously, I understand the pressure that everyone was working under. However, we should understand child rights and wellbeing impact assessments and equality impact assessments not as bureaucratic and procedural barriers to decision making but as an essential part of good and legitimate decision making. In particular, the voices of those who will be affected should be included in impact assessments.

I was deeply concerned about the SQA not taking such an approach, but that concern was consistent across other decision makers; it was not unique to the SQA. It would have been much better to have involved the young people who were affected, particularly when they were easy to identify, and to have taken an impact assessment approach, which would have allowed the SQA to figure out some of the issues in advance and would have allowed there to be better and more open dialogue and communication. It is essential to use those tools.

We have been trying to provide support through our work on the independent child rights and wellbeing impact assessment. At the European level, we have also developed a common framework of reference, which has now been endorsed by the United Nations Committee on the Rights of the Child, so that all states at all levels use that approach.

The tools are available, but I need to do better—we need to do better—at ensuring that decision makers such as the SQA understand the benefits and the necessity of taking such an approach in order to avoid the breaches of children's rights that we saw last year and that are at risk of continuing this year.

Ross Greer: Your office has been clear about the risk that the appeals process, in particular, could result in further violations of children and young people's rights. Does that mean that there has not been significant improvement in how the SQA engages with your office and in relation to the support that you are trying to provide to it? I am trying to understand whether the SQA has learned from what happened last year and whether it is trying to improve its processes.

Bruce Adamson: There is still a long way to go. The work that has been done on education overall has led to drastic improvements, but there is still a very long way to go to ensure that the model of assessment is appropriate and rights respecting.

The coming days and weeks will be essential, because what we hear from children and young people—the committee has heard it directly from

the young advisers—is that we are still not where we need to be in relation to providing clarity on the process, supporting schools and ensuring that there is a right to a remedy.

It is important to say that teachers, school leadership and those who work in early years have done a phenomenal job during the past year. If there is not proper guidance and clarity about what is needed, those people, as the direct point of contact with young people, will be put in an impossible situation.

We are committed to continuing to work with the SQA. Obviously, the Scottish Government is ultimately responsible for ensuring the right to an education, including young people's right to have proper recognition of achievement to allow them to move on to further and higher education or to employment opportunities. We are not where we need to be yet.

The Deputy Convener: I recognise that the election comes at an awkward time for the exam diet. The committee has a long-standing concern about and interest in the issues that Bruce Adamson has just highlighted, so I ask that he stays in contact with us on them. We are eager to reinforce the points about communication, clarification and improvement that he seeks to make with the SQA and the education sector more broadly in the coming weeks and months.

Beatrice Wishart and Jamie Greene want to ask supplementary questions. In the interests of time, I ask them to be brief. Apart from anything else, I would not mind asking a couple of questions.

Beatrice Wishart: In Bruce Adamson's written submission to the committee, he quotes Hope, the young adviser, who said:

"I feel too often that young people are used by politicians to keep their comms teams happy and to keep up public appearance. People seem to be very happy to have children active within politics until they disagree."

We have listened to the compelling evidence of the young advisers today. What do they say to that comment?

Coll McCail: It remains to be seen, although I echo Hope's sentiment. We will see what happens with regard to exams and the exam culture. It is now widely accepted that it does not work for young people. I have already said that today, but I say it again. We will be able to judge how well we have been listened to and whether our concerns have been acted on by the response to our two years without exams. There is a chance to prove Hope and me wrong by moving forward with exams.

Jonathan Dorrat: I broadly agree with Coll and Hope. I thank the committee for inviting us to give evidence. It is important that we have been given

this platform to speak up about children's rights—that is really positive.

As Coll said, it remains to be seen whether the SQA, which has done surveys on various things, along with politicians and the Government value young people. We will see that from what they say about the appeals process for next year, which is yet to be revealed, and about the exam diet for the years to come and other issues.

Jamie Greene: I thank the young people who have joined us today. The committee often hears from experts, agencies and ministers, so it is great to hear directly from young people about their experiences during the past year.

In the past 12 months, I have sat through a lot of updates and statements from the Government, and I have noticed the direct link between restrictions, lockdowns and young people. For example, we have heard repeatedly—and we have accepted—that closing businesses, shops, gyms and churches means that we can open up nurseries and schools. When schools reopen, there is potential for that to drive the R number back up and for the virus to spread in the community again. Has that narrative unduly apportioned blame, guilt or responsibility to young people? Does it unfairly single them out as drivers of or reasons for lockdowns for the whole of society?

Abigail McGill: There is definitely potential for that to happen. I firmly believe that we are already seen as the villains of the pandemic, as Coll said at the beginning of the meeting. I highly doubt that anyone will change their view on that. If we go back to school, that will inevitably drive the R number up. That will happen because, as Coll said, it is unbelievably difficult to do social distancing in a school with upwards of 1,000 pupils. Arguably, there will be more cases and we will get blamed for it. We could say that about anything, however. If you only opened up churches again, everyone would blame people who follow a religion. It is unfortunate, but that is the way that society is.

It is a good thing that we are opening schools up. We can cope with the hate from the other generations, because we will be backing reopening as a step towards having normality again.

11:15

Coll McCail: I totally agree with Abigail. Young people understand the need to have schools closed and the need to have them reopened. We wanted schools to shut before they did in March; we wanted schools to shut before there were plans about coming back after Christmas. While there may be a perception that we are the villains

because we are going back to school, we understand that schools have to close because they are vectors of transmission. We spent too long denying that schools could lead to transmission, which did not help anyone.

I echo Jonathan's thanks to the committee for having us today.

Bruce Adamson: The point that we are discussing is a really important one. I sit on a technical advisory group for the World Health Organization on the opening of schools at a European level, and it is very clear from the evidence that schools follow community transmission rather than being drivers of it. We now have much more scientific research that has been done over the past year, which helps us to understand the situation.

It is really important that schools can reopen safely and that we are supporting school communities to put in place other mitigation measures against Covid, including the restrictions on congregation at school gates, for example. When we are putting restrictions in place, they need to be necessary and proportionate. As the young advisers have said, children and young people understand the necessity for the restrictions and why they have been needed, but they should be in place only for as long as we need them. We need to recognise the impact of school buildings being closed, not just on education but on all the broader elements that school communities provide, as well as the incredible human rights work that schools do.

We were very concerned last year about the rhetoric of blame around young people and some of the things around breaching of socialisation rules, because the work with Police Scotland shows clearly that children and young people were not the ones who were breaking the rules. The level of sticking to the rules has been very high among children and young people, who have understood the sacrifices that are being made. It is wrong that blame has been apportioned towards them and that blame for the driving up of numbers has been apportioned to schools reopening, because the evidence does not support that; the evidence shows that schools follow community transmission levels rather than drive them.

We strongly support the Government's and Parliament's decision to focus on getting schools and early years provision open while also focusing on other, community-based supports opening safely, including sport and drama, given their impacts on children's rights in terms of education, development and mental health.

We need to be clear that children and young people have been among the heroes of the pandemic and our response to it, by sticking to the

rules so well and playing a real part in the collective effort to keep everyone safe. We need to avoid any further stigmatisation of children and young people, given the real importance of getting them back to more of a sense of normality.

The Deputy Convener: If the committee will bear with me, I have some questions, the first of which follows on from some of the topics that we have covered. Additional support needs has been an on-going topic that the committee has focused on, although the work that we have been unable to do because of the pandemic includes work on ASN in schools and Johann Lamont's bill on transitions from school—the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill.

I want to build on what Bruce Adamson said about whether there has been sufficient focus on the particular impact on young people with conditions such as autism. As a neurodiverse person, I am pleased that he mentioned neurodiversity among young people. People with autism struggle very much with measures such as the wearing of face masks. Online learning can be incredibly challenging for them, and also for those with attention deficit hyperactivity disorder. I know that I struggle deeply with sitting in front of a screen for such prolonged periods.

Does there need to be particular concentration on that? Is there also a wider issue here? There is a growing sense that, although ASN is useful because it is a broad category, we sometimes miss the fine detail of the differing requirements of people within it. I am interested in hearing the witnesses' comments on those impacts.

Abigail McGill: There is definitely not enough focus on that. I do not have personal experience of the issue, so I will not say too much about it. However, I know of other young people who have struggled to get much work done. Many teachers are not particularly accommodating of the fact that it might be difficult for some people.

There is not enough differentiated learning. At some schools, the work is all on screen or based on looking at PowerPoint presentations, whereas at others it is all about listening to audio. I know a couple of young people who are deaf and they have really suffered because it is difficult for them to hear through headphones at home or to lip-read through face masks when they are in school—their teachers and peers do not wear clear masks. I know that those are issues for them.

Many neurodiverse young people have been really disadvantaged. Although I feel that all young people have been overlooked in some way, those with additional support needs have been overlooked even more, which is really saying something.

Bruce Adamson: That is a really important point and one that we have been discussing for a long time. Although the broad definition of additional support needs is useful in some senses, I agree with Daniel Johnson that there is a risk that we lose the focus on the rights and needs of particular groups of children, or particular children, within that broad definition.

When we talk about disabled children, we need to focus on the support that they need, work with their families and understand them. My office has done a lot of work in that area. They are different from the broader cohort of children with additional support needs. When we focus on the needs of disabled children, we should talk about them rather than using the “additional support needs” term, which covers a much broader range.

Our understanding of neurodiversity is growing, but we need to get much better at listening to the strong calls that we have heard from autistic and other neurodiverse children and young people.

The online learning aspect is interesting. Some disabled children and their families have talked about the advantages of such learning. We need to focus more on what good-quality online learning for all children looks like and how we can make it work. As the young advisers have said, a one-size-fits-all approach does not work. Although we have seen significant improvements in online learning over the past year, the provision has not met the needs of all. We must also recognise that some disabled children are more likely not to be back at school because their health might be at risk or for other reasons.

We must ensure that we tailor online learning and other forms of support to ensure that disabled children, neurodiverse children and those with other additional support needs get the forms of support that they require and that work best for them. The focus should therefore be on good-quality online learning that is adaptable.

You will recall from our submission that one way in which the right to education is assessed is in terms of adaptability. Education needs to be accessible and adaptable to take into account different needs and different ways of learning, which is where there has been a big gap. The committee has been doing work on that and there is Johann Lamont’s bill on transitions, but we need to continue those really important conversations into the next session of Parliament, because we have not made the progress that any of us hoped that we would.

It is essential that the participation of children, young people and their families is at the heart of that, including neurodiverse children and young people and other disabled children. Consulting them is not the same as active participation. As

human rights defenders, they are in an amazing position to show real leadership on that. That is where I would like to see a big focus in the next session of Parliament as we all continue our work on getting them right at the heart of those discussions and designing an education system that is adaptable to what they need in order to fully implement the right to an education that develops every child and young person to their fullest potential.

The Deputy Convener: That leads me neatly on to my final question. Next week, the committee will come together to discuss its legacy paper. Today’s evidence session has been a fantastic opportunity for us to hear directly from young people. We have talked a lot about the need for various bodies to improve their communication and their ability to hear directly from young people, but we have not discussed whether this committee is doing as much as it could.

Can you make some suggestions about what the committee in the next session of Parliament could do to improve its ability to hear from young people and allow them to participate directly in the work that it does? Do you have any thoughts or ideas on that?

Coll McCail: The obvious answer is to have more sessions like today’s. Making efforts to involve young people from a variety of sectors across the board, including care-experienced young people, would be an incredible measure for you guys to take. It would be active participation for young people and another kind of outlet for them. My advice would be to hear from fewer experts and more young people.

Jonathan Dorrat: I have a brief point, which may be not just about the committee but about the Parliament more generally. I feel that the committee’s remit should be a bit clearer. It is called the Education and Skills Committee, but today we have discussed things beyond education. It may be about working more broadly. It is also important to educate young people in schools about the Parliament’s committees and what they discuss. It is about making it clear what the committee discusses and how that affects young people.

The Deputy Convener: Do you have any comments or final thoughts, Abigail?

Abigail McGill: Everything that I had to say has already been said. Thank you for having us.

The Deputy Convener: Thank you for coming. Finally, I put my question to Bruce.

Bruce Adamson: It is a really important point. I recognise the amazing work that this and other parliamentary committees have done over the current session to try to improve the way in which

children and young people are involved. I know that the Parliament is also looking at that more broadly. It is essential to address the democratic deficit that exists and to give life to children's rights to be involved in every decision that affects them.

Sessions such as today's, with the very articulate and brilliant young advisers that we have with us, are a good example of one model. There is also a really strong opportunity to tap into the amazing expertise and participation that we have within civil society in Scotland. I would love to see a lot more MSPs sitting on the floor with children, playing with play dough, Lego and glitter and doing all the things that I get to do—or got to do before Covid. It is about using those creative tools to find out what is important to children and young people. That cannot always happen round a committee room table, and there is huge potential there.

With huge respect, although I know that you all do that and provide leadership in your constituencies, I would like to see that kind of creativity, with MSPs going out to communities as part of their parliamentary work. It requires adults to go outside their comfort zones and it requires children to design the processes with you in order for them to fully engage.

I would love that to be a priority in the next session of Parliament. I would love Parliament to work with children and young people and, with the amazing support of civil society, co-design ways of doing innovative participation work in order to find out what is important to children and young people of all ages—right down to the early years, working with families. That would really give life to the Parliament's values.

That work is really exciting, it is fun and it works. I know that members understand that, but it is really important to note that it cannot be done in discussions round a committee table, as important as they are and however well many young people are able to participate in them. The work has to be done in places where children feel comfortable and feel that they have the power and are in charge.

That is what is so exciting about the opportunity that we will have next week to incorporate into our domestic law the United Nations Convention on the Rights of the Child through the bill that will be at stage 3. That is at the heart of the commitment that the Scottish Parliament will make to an approach that ensures that children can participate fully in all decisions that affect them. That is going to require change on the part of everyone who currently exercises power. It is really exciting, and it links to the underlying question that is at the heart of this session: what does the future look like for children and young people as we come out of Covid?

In our written submission, we raise some concerns about the idea of branding things as “catching up” and the idea that children have missed out. We need to take a strengths-based approach by saying that children and young people have shown amazing commitment and incredible resilience and asking what we can do to best support them, particularly on socialisation, mental health and educational achievement, to take them where they want to go.

That focus on a holistic understanding of how we can best support children and young people is going to be essential, and it only works when children and young people have the power to be involved in that decision making. Despite all the huge challenges and the difficulties over the past year, I am really optimistic about how we can use the incredible talents of children and young people to make Scotland the place that we all want it to be.

The Deputy Convener: Thank you. Given your final remarks, I am going to worry the clerks by suggesting that the committee thinks about how we can incorporate glitter in our legacy report, both figuratively and literally.

We have completed our questions. I say a huge thank you to Coll McCail, Jonathan Dorrat, Abigail McGill and Bruce Adamson for their contributions. We have touched on a broad range of topics, including some that we need to take up immediately and some that are important thoughts and insights for the future—for our on-going work and the work of our successor committee.

Next week's meeting will be held entirely in private in order to allow the committee to consider its legacy paper. I have no doubt that comments that were made in today's discussion will inform that a great deal.

As previously agreed, the committee will move into private session. I say a final thank you to all our witnesses. It was an incredibly useful evidence session.

11:33

Meeting continued in private until 12:02.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba