

Citizen Participation and Public Petitions Committee

15th Meeting, 2022 (Session 6), Wednesday
9 November 2022

PE1953: Review Education Support staff roles

Note by the Clerk

Petitioner	Roisin Taylor-Young
Petition summary	<p>Calling on the Scottish Parliament to urge the Scottish Government to review Education Support (ES) staff roles in order to consider:</p> <ul style="list-style-type: none">• Urgently raising wages for Education Support Staff across primary and secondary sectors to £26K p/a• Increasing the hours of the working day for ES staff from 27.5 to 35 hours• Allowing ESS to work on Personal Learning Plans with teachers/ take part in multiagency meetings.• Requiring ESS to register with Scottish Social Services Council• Paying ES staff monthly

Webpage <https://petitions.parliament.scot/petitions/PE1953>

Introduction

1. This is a new petition that was lodged on 18 August 2022.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.

4. While not a formal requirement, petitioners have the option to collect signatures on their petition. On this occasion, the petitioner elected to collect this information. 34 signatures have been received.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Scottish Government and is included at **Annexe C** of this paper.
6. A submission has been provided by the petitioner. This is included at **Annexe D**.

Action

7. The Committee is invited to consider what action it wishes to take on this petition.

Clerk to the Committee

Annexe A

PE1953: Review Education Support staff roles

Petitioner

Roisin Taylor-Young

Date lodged

18 August 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to review Education Support (ES) staff roles in order to consider:

- Urgently raising wages for Education Support Staff across primary and secondary sectors to £26K p/a
- Increasing the hours of the working day for ES staff from 27.5 to 35 hours
- Allowing ESS to work on Personal Learning Plans with teachers/ take part in multiagency meetings.
- Requiring ESS to register with Scottish Social Services Council
- Paying ES staff monthly

Previous action

In my capacity working in Education, I have raised my concerns with various Scottish Ministers and my local MSP.

I have also written to various politicians including, Shirley Anne-Somerville MSP, Clare Haughey MSP, Maree Todd MSP, Carol Mochan MSP, Michael Marra MSP, Paul Sweeney MSP, Alison Thewliss MP and Susan Aitken (leader of Glasgow City Council)

I have so far not heard anything back from any of those I contacted.

Background information

ESS work with children and YP (CYP) with Autism, Dyspraxia, Dyscalculia, Down Syndrome, visually impaired, Hearing impairments, Mosaic Downs Syndrome, trauma, care experienced, EAL, asylum seekers, unaccompanied refugees, Social, Emotional and Behavioural Needs, CYP at risk of self-harm/ suicide, CYP with risk assessments.

- ESS are not involved in ASN Plans/multiagency work
- No SSSC registration deprives ESS of basic working standards
- ESS are not paid remuneration based on qualifications. In comparison to 5.5% wage rise for teachers in 2020 starting £27-32K whereas, ESS are paid est. £14K. Low wages mean Universal Credit dependency
- Many ESS are paid on a four-weekly basis, meaning sanctions 2/3 p/a by UC
- Many ESS are female and this affects women, including their children
- ESS roles are left unfilled. The wages are not attracting talent. People are leaving jobs facing a wage crisis.
- The Scottish Government has a legal duty to comply with (Additional Support for Learning) (Scotland) Act (2004), Inclusion, GIRFEC, UNCRC.

Annexe B

The logo for SPICe, featuring the letters 'SPICe' in a white, sans-serif font on a dark purple background.

The Information Centre
An t-Ionad Fiosrachaidh

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE1953](#): Review Education Support staff roles, lodged by Roisin Taylor-Young

Background

The petition covers the professional regulation, roles, and pay and conditions of Education Support Staff roles.

The petition calls on the Government to review education support staff roles. It is not wholly clear what the petitioner means by education support staff. It appears that the petitioner is referring to staff delivering learning support in the classroom. The terminology used for these roles varies. Some local authorities use the Classroom Assistants and ASN Auxiliary terminology for staff roles but in many local authorities, staff performing these roles are employed under different job titles such as Pupil Support Assistant, Pupil Support Officer and Learning Assistant.

Teachers' pay and conditions are largely set nationally through the Scottish Negotiating Committee for Teachers (SNCT) which is a tripartite body comprising members from teaching organisations, Local Authorities, and the Scottish Government. The SNCT agrees pay scales for teachers, music tutors, Educational Psychologists, and some other local authority staff.

Terms and conditions, and the duties of staff who are not covered by SNCT agreements will be subject to a combination of local decisions and national bargaining. Most local authorities use a national pay scale, the Spinal Column Points, while some have local pay scales. Both would

be updated through national bargaining. The pay scale does not include a list of job titles. Roles with similar titles may have different responsibilities from one local authority to the next, and this may mean that where these similar jobs fall in the pay scale also differs.

Professional regulation

Currently classroom assistants are not required to have a professional registration. The [Scottish Government and Scottish Green Party shared policy programme commits](#) the Scottish Government to:

“explore in collaboration with trade unions and other key stakeholders options for the development of an accredited qualification and registration programme for Additional Support Needs assistants with final proposals to be brought forward by autumn 2023.”

This is not the first time that the registration of support staff has been considered. In 2017, the Scottish Government consulted on an Education Reform Bill. This included the proposal to replace the General Teaching Council for Scotland (GTCS) with an Education Workforce Council which was to take on the responsibilities of the GTCS, the Community Learning and Development Standards Council and register other education professionals, including classroom assistants. The proposal to abolish the GTCS was not widely supported and, for other reasons, the Bill itself was never introduced. The then [Cabinet Secretary for Education and Skills, John Swinney MSP, told Parliament on 26 June 2018](#)

“We will explore what can be done within the scope of current legislation to provide the benefits of regulation and registration to a wider group of education professionals.”

Ned Sharratt
Senior Researcher
13/09/2022

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C

Cabinet Secretary for Education and Skills submission of 28 July 2022

PE1953/A: Review Education Support staff roles

I am writing in reference to the petition calling on the Scottish Parliament to urge the Scottish Government to review Education Support (ES) staff roles.

Education support staff pay and terms and conditions are for local government as the employer and not something Scottish Government can intervene in.

In August 2021, the Scottish Government and the Scottish Green Party announced a Cooperation Agreement and a Shared Policy Programme, committing to cooperate on a range of policy initiatives, including a commitment to explore options for the development of an accredited qualification and registration programme for Additional Support Needs Assistants. Scottish Government are liaising with local government officials on establishing a process for realising this commitment by Autumn 2023.

The Scottish Government has established a Pupil Support Staff Working Group (PSSWG) to consider how best Scottish Government, local government and partners can empower and support pupil support staff. In September 2021 the PSSWG collaboratively developed and published a free professional learning framework for pupil support staff that is available on the Education Scotland [National Improvement Hub](#). This professional learning framework aims to establish a coherent system to ensure pupil support staff in Scotland have access to role specific professional learning to assist them to reflect on practice, gain confidence from achievements and identify areas for development.

The PSSWG are currently in the process of engaging with Pupil Support Staff and other stakeholders to seek their views on the work carried out to date and to inform future actions to support this workforce. I trust this information is helpful.

Annexe D

Petitioner submission of 19 October 2022 PE1953/B – Review Education Support staff roles

In my time working as an ESS (Education Support Staff or Support for Learning) I have worked with disabled young people (YP) with additional support needs. I have been threatened with knives, attacked, dealt with YP of whom self-harm/suicidal. YP with profound nonverbal autism. These YP are in contact with multi agencies such as Educational Psychologists. YP who have court cases and have been sexually abused. YP whose parents have been imprisoned are in care/ secure units.

The YP ESS come into contact with are the most volatile and, vulnerable YP in our society.

We are absolutely essential to their education, support, care and well being. Thus workforce absolutely has to be **professionally regulated, registered and remunerated.**

A mass-exodus of talented and professional workers are leaving in search of better careers. Very vulnerable YP are being left behind.

Right now I am campaigning for Glasgow City Council to increase their overtime rates for supported study to more than £6.42 per hour.

Earning such a low income, I thought I'd try doing overtime. My school offered Supported Study in evenings. Surprisingly, I was paid £6.42 p/h.

I queried this with HR. I've looked at councils Multiple Additional Duties Form and, have found **three of these duties are paid below the minimum wage.** I am happy forwarding this to the committee for them to consider it.

This is a prime I'm sure but, sadly not an isolated example of how ESS workforce are bitterly overworked and chronically underpaid. To a loosely legal threshold.

The job that ESS should be considered a **skilled, professionally registered and regulated job** that is absolutely essential to very vulnerable YP in our schools and our society.

New Information Furthered Below

- To clarify what I mean by ESS I am referring to what some councils may refer to as Support for Learning, Additional Support Needs Assistants and Pupil Support Officer.
- The SPICe briefing made the point that ESS are not included in SNCT agreements, this is true.
- SPICe referred to 'national bargaining.' Unfortunately there is no national bargaining for ESS. It differs from council to council. For example, Edinburgh City Council can pay up to 26K per annum for a Pupil Support Officer whereas, Glasgow City Council offers up to 14K for a Support for Learning Worker. As the Cabinet Secretary for Education and Skills rightly pointed out on submission 02/08/22.
- This has and is causing a number of Equal Pay claims for Scottish Councils. It will cost Glasgow City Council up to **1 billion by 2024**. Other councils will follow suit, it has the power to potentially bankrupt some councils.
- **Professional Regulation:** The SPICe briefing also referred to a proposal for the GTCS to be replaced in a 2017 Education Reform

Bill. I am not asking for radical changes such as scrapping of the GTCS.

- **I am simply asking the committee and stakeholders it is in communication with to kindly** consider that ESS work closely with Additional Support Needs children and are trained working with different disabilities such as Autism, ADHD, Down Syndrome and Dyslexia they should have the right to **professional registration with the SSSC and GTCS.**
- With the right qualifications (SVQ, HND) ESS would be eligible for SSSC registration and eligibility should be considered for **GTCS registration as Additional Support Needs Officers.**
- This would make it more likely to include ESS in SNCT agreements and thereby, save Scottish Government hundreds of millions in Equal Pay Claims lodged in Education by Trade Unions.
- This would ensure children are being supported professionally and properly under legislation:
 - Additional Support for Learning (Scotland) Act (2004)
 - ASL Act 2004
 - Children and Young People Scotland Act 2014
 - Equality Act (2010) Section 6
- Planning for Children and Young People with ASN and disabilities should and does require additional planning for learning.

- Such as, Individualised Educational Programmes (for those needing extensive modifications to curriculum and learning), a Child's Plan and a Coordinated Support Plan.
- ESS should have involvement in the planning and support plans. ESS work with these children everyday of whom Educational Psychologists regularly come into schools for.
- There are a number of qualifications already being offered across colleges aimed at training ESS more adequately in Scotland such as Clyde and Kelvin College in Glasgow that offers a PDA Level 6 in Education Support Assistance.
- In most Scottish councils ESS pay varies and, despite a person having a professional qualification. Having studied for several years, there is no remuneration. (Excluding Edinburgh City Council and North Lanarkshire)
- Without the ***proper regulation*** and ***professional qualifications*** required for such jobs children with additional support needs and disabilities will not receive the adequate care they so urgently deserve and need.