

# Citizen Participation and Public Petitions Committee

5th Meeting, 2024 (Session 6), Wednesday  
20 March 2024

## PE1953: Review Education Support staff roles

<b>Petitioner</b>	Roisin Taylor-Young
<b>Petition summary</b>	<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"><li>• Urgently raising wages for Education Support Staff across primary and secondary sectors to £26K p/a</li><li>• Increasing the hours of the working day for ES staff from 27.5 to 35 hours</li><li>• Allowing ESS to work on Personal Learning Plans with teachers/ take part in multiagency meetings.</li><li>• Requiring ESS to register with Scottish Social Services Council</li><li>• Paying ES staff monthly</li></ul>
<b>Webpage</b>	<a href="https://petitions.parliament.scot/petitions/PE1953">https://petitions.parliament.scot/petitions/PE1953</a>

### Introduction

1. The Committee last considered this petition at its meeting on [31 May 2023](#). At that meeting, the Committee agreed to write to the Scottish Government.
2. A petition summary briefing can be found at **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received a new response from the Cabinet Secretary for Education which can be found at **Annexe C**.

4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 40 signatures have been received on this petition.

## Action

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

### **Clerks 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

### Extract from Official Report of last consideration of PE1953 on 31 May 2023

**The Convener:** PE1953, which was lodged by Roisin Taylor-Young, calls on the Scottish Parliament to urge the Scottish Government to review education support staff roles in order to consider urgently raising wages for education support staff across the primary and secondary sectors to £26,000 per annum; to increase the hours of the working week for education support staff from 27.5 hours to 35 hours; to allow education support staff to work on personal learning plans, with teachers taking part in multi-agency meetings; to require education support staff to register with the Scottish Social Services Council; and to pay education support staff monthly.

We previously considered the petition at our meeting on 9 November 2022. The submission from the Convention of Scottish Local Authorities states that there are no national rates for non-teaching staff and that pay levels are determined through job evaluation. The submission notes that a separate salary increase for one group would have a wider impact on other roles and raise affordability concerns. Similarly, the submission explains that pupil support assistants work varying hours that are based on pupil needs and that changing that would have financial implications for various roles in councils. It notes that involvement in personal learning plans and multi-agency meetings varies locally and is determined by school and teacher discretion. Lastly, COSLA notes that the issue of pay periods and its impact on universal credit falls under the responsibility of United Kingdom benefits.

The committee also received a response from the then Cabinet Secretary for Education and Skills that indicates that the Bute House agreement exploration group will share its recommendations on a qualification and registration programme for additional support needs assistants by the autumn of this year.

We have received a late written submission from the petitioner, which has been shared with the committee this morning. Unfortunately, a technical issue caused the submission to be received late; it was through no fault of the petitioner. I thank her for working with the clerks to get the submission to us in time for us to consider it this morning.

The petitioner's submission raises a number of points in response to the submissions that we have received, to which I have just referred. She asks that the Bute house agreement exploration group consider recommending national, rather than local, agreements for the registration and accreditation of education support staff in schools. The petitioner highlights the "School Support Staff—The Way Forward" agreement, which was produced by the National Education Union in England, which considered similar issues to those of the exploration group.

In response to COSLA's submission, the petitioner highlights that the single status agreement is almost two and a half decades old and that pay disparity exists

between areas such as Edinburgh and Glasgow. The Harpur Trust v Brazel case from 2022 is highlighted and put into the context of the petition, with cautionary points about the potential implications of backdated unfair pay claims. The petitioner concludes by suggesting a number of options for the committee to pursue.

Do members have any comments or suggestions?

**Alexander Stewart:** We should keep the petition open. In her submission, the petitioner makes some valid points about where we are in the whole process. I suggest that we write to the Scottish Government to seek an update on the Bute House agreement exploration group's recommendations, when they become available in autumn of this year. The petitioner talks about COSLA's involvement, and it would be good to get some clarity on that. That is what I propose at this stage.

**The Convener:** Thanks again to Roisin Taylor-Young for her additional work, which has allowed us to consider matters this morning. We will move forward on that basis. Are members content with that?

**Members** *indicated agreement.*

## Annexe C

### Cabinet Secretary for Education and Skills submission of 31 January 2024

#### PE1953/G: Review Education Support staff roles

I am writing in response to your correspondence dated 8 January 2024, in relation to petition PE1953, calling on the Scottish Parliament to urge the Scottish Government to review Education Support (ES) staff roles.

You asked for an update on the Bute House Agreement commitment 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 being brought forward by Autumn 2023.*

Scottish Government officials intended to have the report ready for consideration by Ministers, followed by publication, in Autumn 2023. Unfortunately I am advised that this work has been delayed due to competing priorities within the portfolio. Officials are now working towards having the report ready for publication in the first quarter of 2024.

Officials have been working with the Exploration Group to progress this work. For example, they have engaged with officials in England and Wales on their approaches and hosted two online workshops in September 2023, drawing participation from approximately 80 stakeholders across 27 local authorities.

Education Scotland also undertook a national engagement programme for Pupil Support Staff. This attracted 2,500 survey responses from staff in all 32 local authorities. A final report was published on 31<sup>st</sup> July and can be found at: [Pupil Support Staff Engagement Programme 2022 - 2023 | Resources | Education Scotland](#). The outcomes of this engagement programme are helping to inform the work of the Exploration Group.

I will provide the Committee with a further update as this work progresses.

**JENNY GILRUTH MSP**