

# Agenda



## Educational Services Committee

**Date:** Wednesday, 21 June 2023

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**Time:** 10:00

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**Format:** Hybrid Meeting

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**Contact:** Scott Kelly, Committee Officer  
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Dear Member

Please attend a meeting of the **Educational Services Committee** as detailed above.

Members will have the option to attend the meeting remotely or in person at the Civic Space, 16 Church Street, Dumbarton.

The business is shown on the attached agenda.

Yours faithfully

**PETER HESSETT**

Chief Executive

**Distribution:**

Councillor Clare Steel (Chair)  
Councillor Karen Conaghan  
Councillor Gurpreet Singh Johal  
Councillor Daniel Lennie  
Councillor David McBride  
Councillor Jonathan McColl  
Councillor Michelle McGinty  
Councillor June McKay  
Councillor John Millar (Vice Chair)  
Councillor Lawrence O'Neill  
Councillor Lauren Oxley  
Councillor Martin Rooney

Councillor Gordon Scanlan  
Councillor Hazel Sorrell  
Mrs Barbara Barnes  
Ms Kirsty Connolly  
Mr Gavin Corrigan  
Miss Cara Cusick MSYP  
Miss Ellen McBride  
Ms Hannah Redford  
Ms Julia Strang  
Miss Tian Qi Yu MSYP  
Vacancy

All other Councillors for information

Chief Education Officer

Date of Issue: 8 June 2023

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## **EDUCATIONAL SERVICES COMMITTEE**

**WEDNESDAY, 21 JUNE 2023**

### **AGENDA**

**1 STATEMENT BY CHAIR – AUDIO STREAMING**

The Chair will be heard in connection with the above.

**2 APOLOGIES**

**3 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

**4 RECORDING OF VOTES**

The Committee is asked to agree that all votes taken during the meeting will be carried out by roll call vote to ensure an accurate record.

**5 MINUTES OF PREVIOUS MEETING 7 – 11**

Submit, for approval as a correct record, the Minutes of Meeting of the Educational Services Committee held on 8 March 2023.

**6 LOCAL NEGOTIATING COMMITTEE FOR TEACHERS 13 – 14**

Submit for information, and where necessary ratification, the Minutes of Meeting of the Local Negotiating Committee for Teachers held on 14 March 2023.

**7 OPEN FORUM**

The Committee is asked to note that no open forum questions have been submitted by members of the public.

**8/**

- 8 STRATEGY TO RAISE ATTAINMENT AND ACHIEVEMENT IN WEST DUNBARTONSHIRE 15 – 21**
- Submit report by the Chief Education Officer providing an update on progress with implementing Educational Services' improvement priorities for attainment and equity.
- 9 EARLY LEARNING AND CHILDCARE PROGRESS UPDATE 23 – 35**
- Submit report by the Chief Education Officer providing an update on progress made to provide high quality Early Learning and Childcare in West Dunbartonshire Council.
- 10 SERVICES FOR CHILDREN, YOUNG PEOPLE AND FAMILIES UPDATE REPORT 37 – 42**
- Submit report by the Chief Education Officer informing of progress on supports to children, young people and families.
- 11 SCHOOL LEAVER DESTINATIONS 2021/2022 43 – 56**
- Submit report by the Chief Education Officer providing an update on our partnership approach to improve the number of our young people leaving school and entering a positive destination.
- 12 SUPPORTING LGBT+ PUPILS IN EDUCATIONAL SETTINGS 57 – 123**
- Submit report by the Chief Education Officer informing of:-
- (a) practices supporting (Lesbian, Gay, Bisexual and Transgender) LGBT+ children and young people; and
  - (b) the roles and responsibilities of all stakeholders in ensuring adherence to guidance.
- 13 DEBT MANAGEMENT IN EDUCATION ESTABLISHMENTS POLICY 125 – 139**
- Submit report by the Chief Education Officer seeking approval for the introduction of a debt management policy in West Dunbartonshire's Education establishments.

**14      EDUCATION DELIVERY PLAN 2023/24**

**141 – 164**

Submit report by the Chief Education Officer setting out the Education Delivery Plan for 2023/24.



**EDUCATIONAL SERVICES COMMITTEE**

At a Hybrid Meeting of the Educational Services Committee held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 8 March 2023 at 10.05 a.m.

**Present:** Councillors Karen Conaghan, Gurpreet Singh Johal, Daniel Lennie, David McBride, Jonathan McColl, Michelle McGinty, June McKay, John Millar, Lawrence O'Neill, Lauren Oxley, Martin Rooney, Gordon Scanlan, Hazel Sorrell and Clare Steel, and Mrs Barbara Barnes, Ms Kirsty Connolly, Mr Gavin Corrigan, Miss Cara Cusick MSYP, Ms Julia Strang and Miss Tian Qi Yu MSYP.

**Attending:** Peter Hessett, Chief Executive; Laura Mason, Chief Education Officer; Alan Douglas, Chief Officer – Regulatory and Regeneration (Legal Officer); Andrew Brown, Senior Education Officer – Policy, Performance & Resources; Claire Cusick, Senior Education Officer – Services for Children & Young People; Julie McGrogan, Senior Education Officer – Raising Attainment/Improving Learning; Kathy Morrison, Senior Education Officer – Early Learning & Childcare; Michelle Lynn, Assets Co-ordinator; Joe Reilly, Business Unit Finance Partner (Education); and Scott Kelly, Committee Officer.

**Apology:** An apology for absence was intimated on behalf of Miss Ellen McBride.

**Councillor Clare Steel in the Chair**

**STATEMENT BY CHAIR – AUDIO STREAMING**

Councillor Clare Steel, Chair, advised that the meeting was being audio streamed and broadcast live to the internet and would be available for playback.

**CHAIR'S REMARKS**

Councillor Steel, Chair, welcomed all those present and in particular Miss Cara Cusick MSYP and Ms Kirsty Connolly, Parent Representative, who were attending their first meeting of the Committee, having recently been appointed as members of the Committee.

## **DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest in any of the items of business on the agenda.

## **RECORDING OF VOTES**

The Committee agreed that all votes taken during the meeting would be carried out by roll call vote to ensure an accurate record.

## **MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Educational Services Committee held on 14 December 2022 were submitted and approved as a correct record.

## **LOCAL NEGOTIATING COMMITTEE FOR TEACHERS**

The Minutes of Meeting of the Local Negotiating Committee for Teachers held on 12 December 2022 were submitted and all decisions contained therein were approved.

## **OPEN FORUM**

The Committee noted that no open forum questions had been submitted by members of the public.

## **RESPONSE ON THE CONSULTATION PROPOSAL TO OPEN AN ADDITIONAL SUPPORT NEEDS SCHOOL AT FORMER RIVERSIDE EARLY LEARNING AND CHILDCARE CENTRE (ELCC)**

A report was submitted by the Chief Education Officer informing of the outcome and findings of the statutory consultation exercise undertaken in respect of the formal consultation on the proposal to open a new additional support needs school at the site of the former Riverside ELCC on the St Martin's Primary School site.

## **ADJOURNMENT**

The meeting adjourned at 10.15 a.m. in order that technical difficulties could be resolved. The meeting reconvened at 10.30 a.m. with all those Members listed in the sederunt in attendance with the exception of Ms Connolly.

After discussion and having heard the Senior Education Officer – Services for Children & Young People in further explanation and in answer to Members' questions, the Committee agreed the findings from the statutory consultation exercise and noted the content of the associated Education Scotland report.



## **PROPOSAL PAPER AND LAUNCH OF STATUTORY CONSULTATION TO DISCONTINUE ARRANGEMENTS FOR THE PROVISION OF TRANSPORT FOR PUPILS ATTENDING CATCHMENT SCHOOLS**

A report was submitted by the Chief Education Officer seeking approval for the launch of the statutory consultation document by the Chief Education Officer under the terms of the Schools (Consultation) (Scotland) Act 2010 on the proposal to discontinue arrangements for the provision of transport for pupils attending catchment schools.

After discussion and having heard the Senior Education Officer – Policy, Performance & Resources, in further explanation and in answer to Members' questions, and the Chief Officer – Regulatory and Regeneration (Legal Officer), in clarification of certain matters, the Committee agreed:-

- (1) to approve the launch of the statutory consultation document by the Chief Education Officer under the terms of the Schools (Consultation) (Scotland) Act 2010 on the proposal to discontinue arrangements for the provision of transport for pupils attending catchment schools, subject to the following amendments:-
  - (a) section 7.3 – change 'the constituency MSP' to 'constituency MSPs' (there being two), and add 'regional list MSPs' and 'all active Community Councils' to the list of consultees; and
  - (b) section 7.4 – add 'Clydebank Town Hall' to the list of West Dunbartonshire Council buildings;
- (2) to agree that the consultation period should run from Thursday, 9 March 2023 until Tuesday, 9 May 2023, a total of 31 days when the schools are open for pupils; and
- (3) to agree that a report outlining the results of the consultation and making appropriate recommendations be presented to a meeting of the Educational Services Committee on a date to be confirmed in conjunction with the Chair, the Chief Officer and Elected Members.

The Chief Officer – Regulatory and Regeneration (Legal Officer) then advised the Committee that, in view of its decision to launch the statutory consultation, and because Members would in due course require to make a decision based on the evidence presented during the consultation process, Members who wished to participate in the decision-making should exercise caution when making any public comment, and in particular should avoid any comment which may lead members of the public to consider that the issues have been pre-judged.

## **STRATEGY TO RAISE ATTAINMENT AND ACHIEVEMENT IN WEST DUNBARTONSHIRE**

A report was submitted by the Chief Education Officer providing an update on progress with implementing Educational Services' improvement priorities for attainment and equity.

After discussion and having heard the Senior Education Officer – Policy, Performance & Resources and the Senior Education Officer – Raising Attainment/Improving Learning in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) to note that the Committee will be provided with regular update reports advising of progress; and
- (2) the achievement of West Dunbartonshire's schools to increase attainment in the Broad General Education for our most disadvantaged children and young people.

### **ADJOURNMENT**

Having heard Councillor Steel, Chair, the Committee agreed to adjourn the meeting at 11.30 a.m. for a short period of time. The meeting reconvened at 11.37 a.m. with all those Members listed in the sederunt in attendance with the exception of Ms Connolly.

### **EARLY LEARNING AND CHILDCARE PROGRESS UPDATE**

A report was submitted by the Chief Education Officer providing an update on progress made to provide high quality Early Learning and Childcare in West Dunbartonshire Council.

After discussion and having heard the Senior Education Officer – Early Learning & Childcare and the Chief Education Officer in further explanation of the report and in answer to Members' questions, the Committee agreed to note the progress to deliver the statutory entitlement of 1140 hours of high quality Early Learning and Childcare.

### **SERVICES FOR CHILDREN, YOUNG PEOPLE AND FAMILIES UPDATE REPORT**

A report was submitted by the Chief Education Officer informing of progress on supports to children, young people and families.

After discussion and having heard the Senior Education Officer – Services for Children & Young People and the Chief Education Officer in further explanation of the report and in answer to Members' questions, the Committee agreed to note the progress on plans to continue developing and improving supports.

## **EDUCATION DELIVERY PLAN 2022/23 – MID-YEAR PROGRESS**

A report was submitted by the Chief Education Officer setting out the mid-year progress of the Education Delivery Plan 2022/23.

After discussion and having heard the Senior Education Officer – Policy, Performance & Resources in further explanation of the report, the Committee agreed to note the progress achieved.

## **EDUCATIONAL SERVICES BUDGETARY CONTROL REPORT TO 31 JANUARY 2023 (PERIOD 10)**

A report was submitted by the Chief Officer – Resources providing an update on the financial performance of Education Services to 31 January 2023 (Period 10).

After discussion and having heard the Business Unit Finance Partner (Education) in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to note that the revenue account currently showed a projected annual adverse revenue variance of £1.284m (1.16% of the total budget) which declined to £0.839m (0.76% of the total budget) after application of COVID funds; and
- (2) to note that the capital account showed a projected in-year favourable variance of £2.110m which was budget being re-profiled to 2023/24.

The meeting closed at 12.25 p.m.



**LOCAL NEGOTIATING COMMITTEE FOR TEACHERS**

At a Hybrid Meeting of the Local Negotiating Committee for Teachers held in the Civic Space, 16 Church Street, Dumbarton on Tuesday, 14 March 2023 at 10.10 a.m.

**Present:** Councillors Jonathan McColl, John Millar, Gordon Scanlan and Clare Steel; Laura Mason, Chief Education Officer; Andrew Brown, Senior Education Officer; Alison Boyles, Head Teacher, Dumbarton Academy; Lindsay Thomas, Head Teacher, Linnvale Primary School; Michael Dolan, James Halfpenny, Laura Minto and Caroline Yates (all EIS); and Claire Mackenzie (SSTA).

**Attending:** Kirsty Connor, Education Support Officer – Staffing; Louise Hastings, HR Business Partner, Educational Services; Stephen McCrossan, Area Officer (EIS); and Scott Kelly, Committee Officer.

**Apologies:** Apologies for absence were intimated on behalf of Gavin Corrigan and Dawn Wilson (both EIS).

**Councillor Clare Steel in the Chair**

**DECLARATIONS OF INTEREST**

It was noted that there were no declarations of interest in any of the items of business on the agenda.

**MINUTES OF PREVIOUS MEETING**

The Minutes of Meeting of the Local Negotiating Committee for Teachers held on 12 December 2022 were submitted and approved as a correct record.

**THE 35 HOUR WORKING WEEK AGREEMENT FRAMEWORK FOR 2023-2024**

A report was submitted by the Joint Secretaries to the LNCT providing the proposed 35 hour Working Week Agreement Framework for 2023-2024.

After discussion and having heard both Sides, the Committee agreed:-

- (1) that the framework and supporting guidance be issued to schools/establishments for developing their Agreement for 2023-2024 and their collegiate calendar;

- (2) that a working group examines the effectiveness of the working time agreement in controlling workloads in schools and reports findings back to LNCT in September 2023; and
- (3) that the Joint Secretaries should agree a calendar of two half-days training for trades union representatives on the Working Week Agreement, with representatives being invited to attend either of the half-days.

### **SELF-FUNDED SABBATICALS APPROVED**

A report was submitted by the Joint Secretaries to the LNCT providing an update on the number of self-funded sabbatical requests approved for the period 1 January 2022 to 17 February 2023.

After discussion and having heard both Sides, the Committee agreed:-

- (1) to note the number of self-funded sabbaticals which can be approved is a minimum of 1% of the total number of employees covered by Scottish Negotiating Committee for Teachers (SNCT) terms and conditions;
- (2) to note the number of self-funded sabbaticals approved during the period; and
- (3) that the LNCT Sub-Group would give consideration to the possibility of there being greater flexibility in the duration of sabbaticals, rather than them being for fixed durations of, for example, 3, 6, 9 or 12 months.

The meeting closed at 10.30 a.m.

**WEST DUNBARTONSHIRE COUNCIL****Report by Laura Mason, Chief Education Officer****Educational Services Committee: 21 June 2023**

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**Subject: Strategy to Raise Attainment and Achievement in West Dunbartonshire**

**1. Purpose**

- 1.1** The purpose of this report is to update the Educational Services Committee on progress with implementing Educational Services' improvement priorities for attainment and equity.

**2. Recommendations**

- 2.1** The Educational Services Committee is asked to note:
- (a)** the strong record of progress maintained in academic session 2022/23 achieved by the young people and staff; and
  - (b)** that the Committee is provided with regular update reports advising of progress with improvements to deliver excellence and equity.

**3. Background**

- 3.1** In line with the Strategy to Raise Attainment and Achievement the Committee receives regular reports outlining progress against this strategic priority.
- 3.2** West Dunbartonshire's Strategy to Raise Attainment and Achievement supported by funding from Scottish Government has supported the local authority to maintain a strong record of progress with excellence and equity outcomes.
- 3.3** The approach to improve outcomes has been supported by Scottish Attainment Challenge Funding 2015-2022; and since 2022 a revised SAC funding model - the Strategic Equity Fund.
- 3.4** Strong Record of Progress  
As reported to Committee in March 2023, the Education Service has maintained a strong record of progress with delivering aims and targets for Excellence and Equity in West Dunbartonshire.
- 3.4.1** Attainment for children in the Broad General Education and living in our most deprived areas (Quintile 1) is higher than the national average; and West Dunbartonshire attainment in 2021/22 is higher than the national

average at P1, P4, P7 and S3 (The Annual Statistical Report on Attainment, Scottish Government, December 2022).

- 3.4.2** West Dunbartonshire has increased the number of young people moving into a positive destination in 2021/22 with a 5.4% (89.7% >95.1%) increase moving West Dunbartonshire into 20th place (32<sup>nd</sup> last year) out of the 32 local authorities.
- 3.4.3** In academic session 2022/23 West Dunbartonshire has maintained the local authority's record of achieving positive grades in 100% of school and Early Learning and Childcare Centres (ELCCs) inspections. 8 ELCCs and 3 primary schools were inspected this session. The gradings are based on a 5 point scale used by the inspectors to evaluate quality. The 5 point scale used by inspectors to evaluate quality ranges from weak, satisfactory, good, very good, excellent. All West Dunbartonshire inspections achieved good or very good with one achieving excellent.
- 3.5** In the period March to June officers have worked closely with headteachers to monitor and moderate the assessment of children's progress in the Broad General Education (BGE) and in Early Years. This work is in advance of an annual census of BGE attainment conducted by Scottish Government in June; and a local census of attainment in the Early Years.
- 3.5.1** The BGE census monitors numbers of children and young people attaining 'A Curriculum for Excellence Levels (ACEL)' for their age and stage at P1, P4, P7 and S3. The local authority has requested that schools submit ACEL data prior to the national census date to allow time for central officers to conduct a quality assurance of school performance during June 2023. The Early Years census is based on the West Dunbartonshire Baseline Assessment. All ELCCs and schools submit literacy and numeracy baseline attainment for children aged 3-5 years; and for children in primary one.
- 3.5.2** The Service submits to Committee at the start of each new academic session a progress report on ACEL attainment in the Broad General Education and Early Years Baseline Attainment. A report on West Dunbartonshire's Literacy and Numeracy Attainment for academic session 2022/23 will be submitted to Education Committee in September.
- 3.6** As reported to Committee in December 2022 West Dunbartonshire set ambitious Stretch Aims for the Education Service to be achieved by December 2023. Local authority Core Stretch Aims will be aggregated in a national overview of local authority performance as part of the National Improvement Framework published in December of each year. The annual census data submitted by schools in June feeds into this national report published in December. A recent national conference highlighted the need for a holistic approach across all service areas to be adopted to support the achievement of Stretch Aims.



**3.7** Governance of the Strategy to Raise Attainment and Achievement is reported and monitored at the Education Service Improvement Board chaired by the Chief Education Officer. The Improvement Board meets twice each term with membership including officers, headteachers and the Attainment Advisor. At the recent Improvement Board in May officers reported on progress with the Improvement Framework which operates an annual programme of quality assurance, monitoring and capacity building to support education leaders to implement a continuous programme of improvement. An evaluation of the impact of the Improvement Framework was submitted and is attached at Appendix 1 to this report (**Appendix 1**).

## **4.0 Main Issues**

**4.1** The strong progress in the service is a joint and collaborative effort between the central education team, schools and ELCCs. As the local authority is responsible for the quality of educational provision sufficient and quality personnel are required to both support and challenge schools and early learning centres to grow, learn and improve.

**4.2** Whilst strong progress has been made with outcomes and targets for excellence and equity there still remains a poverty related attainment gap and concerted efforts and resource are necessary to sustain the rates of progress and success achieved. The Service is committed to accelerating progress and achieving aspirational outcomes for the children and young people.

### **4.3 Strategic Equity Fund**

As reported to Committee in December 2022 the change from Attainment Challenge Funding to Strategic Equity Funding in 2022 has reduced the annual income to West Dunbartonshire Council. The Attainment Challenge allocation to the Council prior to 2022 was £2,043,815 in both 2020/21 and 2021/22. The allocation in 2022/23 is £1,745,797 with further annual reductions of £298,018 in each financial year up to 2025/26. By 2025/26 the allocation to West Dunbartonshire will be £851,743 compared to £2,043,815 in 2022. As this funding will be reduced annually each year to 2025/26 this could impact on progress in forthcoming years as the resources available to deliver the strategy will have reduced further by 2025/26.

### **4.4 Pupil Equity Fund**

West Dunbartonshire schools are on track for full budget spend of £3.58m of PEF in the 2022-2023 academic session. Schools have submitted PEF plans for next academic sessions to the Senior Officer leading on PEF and the Attainment Advisor from Education Scotland.

## **4.5 Progress with improvements to deliver Excellence and Equity**

### **4.5.1 The Improvement Framework**

Officers in collaboration with headteachers conducted visits to all schools and ELCCs in academic session 2022/23. Headteachers report that the Improvement Framework provided high quality challenge for leaders to set

targets for improving outcomes for learners in their school; supported and challenged leaders to improve their approaches to self- evaluation and develop their leadership of improvement. Key strengths of the authority approach to improvement identified by headteachers are:

- collaborative improvement approaches which set out clear expectations for improvement; maintaining a sharp focus on raising attainment and narrowing the poverty related gap;
- enhanced scrutiny and support visits which provide a forum for supportive and challenging engagement that led to a clear focus for improvement;
- leaders workshops/seminars/conferences are providing the opportunity to network, raise awareness of current issues/priorities and share best practice to support school improvement and improved outcomes for learners;
- school improvement leadership collaboration is providing headteachers with the opportunity to have a critical friend; and
- Education Officers providing high quality support, advice and challenge.

**4.5.2** A new format for schools to report on standards and quality has been introduced this session. A Standards and Quality Report is a statutory obligation for reporting on school progress with improvements in an academic session. Officers developed a new format following consultation with headteachers. A sample of reports from early years, primary and secondary is included for information (**Appendix 2**).

#### **4.5.3** Assessment and Moderation

A local authority working group has been established on Assessment and Moderation. The group are working with a range of staff to support the development of a consistent approach to assessment and moderation in the Broad General Education. The group are also working with senior staff in our secondary schools to support any revisions to approaches as determined by recent national reviews of assessment and qualifications. In the period March to June the working group: established a local authority assessment and moderation forum; developed of a WDC Assessment and Moderation Routemap; delivered an Assessment and Moderation Conference; and planned a programme of engagement for academic session 2023/24.

#### **4.5.4** Maths/Numeracy Strategy

Our current focus for learning, teaching and assessment in maths and numeracy is to deliver professional learning on Concrete, Pictorial, Abstract (CPA) maths pedagogy to all maths/numeracy teachers. At the same time as professional learning a working group will update the West Dunbartonshire Curriculum Planning Tool (Maths / Numeracy Pathways). A steering group of teaching and learning 'experts' has met to review current practice in our schools. The improvement programme is planned to run for 18 months to be completed in November 2024. In the period January to June, 2023 the steering group: conducted an audit of staff professional learning, skill and confidence to inform planning where any gaps are identified in teacher

knowledge; planned a professional learning programme for primary and secondary teachers on maths teaching / learning; completed a review of current numeracy and maths curriculum pathway planning; launched the first in a series of professional learning sessions for teachers .

#### **4.5.5 STEM Strategy**

The Service has engaged with National and West Partnership STEM Forums to inform the local developments in STEM. The national forums have identified a need to strengthen the STEM offer for young people in S1 -S3. A local working group has been established to review the STEM curriculum at S1-3 in West Dunbartonshire. In the period December to June the group engaged with a number of partners supporting STEM opportunities in West Dunbartonshire including SSERC, Glasgow Science Centre, Babcock Engineering, Lockheed Martin. Plans are underway to develop wider achievement and certification opportunities through working with STEM partners SSERC and RAiSE (Wood Foundation).

#### **4.5.6 1+2 Languages 2022-23**

The Scottish Government Survey for 1+2 Languages 2022-23 was conducted in April across all West Dunbartonshire schools. The survey provided valuable insights into the status of language education in the region, highlighting best practices and areas requiring targeted support to enhance language learning. The collected data will be used to guide ongoing efforts to improve and develop language education in West Dunbartonshire schools. It is commendable that all West Dunbartonshire schools are offering a second language from P1-S3, highlighting the schools' commitment towards equipping children with essential communication skills in a globalised world. Moreover, the progress towards offering a third additional language is encouraging, with 50% of schools already offering it, and 34% in the process of developing their third language program in line with the 1+2 Languages Policy from P5 onwards.

To support language learning and teaching in West Dunbartonshire schools, a virtual 'anytime learning' platform is being developed, providing teachers with access to basic language courses online. This initiative aims to address common challenges faced by teachers, such as pronunciation, developing effective teaching strategies, and embedding language learning into lessons. It will empower teachers with the necessary knowledge and skills to provide effective language learning, ultimately enhancing the learning experience of learners and promoting the importance of learning languages in West Dunbartonshire.

#### **4.5.7 Instrumental Music Service (IMS)**

In March the WDC Senior Concert Band achieved a Gold Plus Award at the Scottish Concert Band Festival finals at Perth Concert Hall. The IMS Spring concert took place at the end of March with over 150 pupils performing in numerous ensembles to a sold out audience at Clydebank Town Hall. The inaugural West Dunbartonshire Music Service Solo Performer of the Year competition took place at the end of March. 11 pupils from across the authority performed superbly on their chosen instruments and the winner will

go on to represent WDC at the Scottish Young Musicians finals at the Royal Conservatoire of Scotland in May.

#### **4.5.8 Connect - Creative Wellbeing Project**

West Dunbartonshire secured a Creative Learning Network grant of £11,000 funded by Education Scotland and Creative Scotland . The grant supported delivery of 'Connect' a creative learning project focussing on health and wellbeing. 'Connect' ran for 10 weeks with weekly sessions in 3 primary schools - Clydemuir, Balloch and St Kessog's. Children engaged in creative activities and games which helped them to learn about ways to keep healthy socially and emotionally. The children have also produced mini films which are being uploaded to a West Dunbartonshire pupil well being digital toolkit.

#### **4.6 Health and Well Being**

##### **4.6.1 Water Safety Education – Summer Term Delivery**

Learning resources on water safety are being used in all West Dunbartonshire schools during the summer term prior to the summer holidays. Resources have been developed in partnership West Dunbartonshire, the RNLI, Water Safety Scotland, and can be accessed on the Education Scotland National Improvement Hub using the following link:

<https://education.gov.scot/improvement/learning-resources/water-safety/>

### **5. People Implications**

**5.1** As reported to Council in February 2022 the Scottish Attainment Challenge funding enabled the provision of additional temporary (seconded) funded posts within the education service, partner council services and external providers. The main areas supported through this additionality are early intervention in learning, welfare advice and poverty support, nurturing mental wellbeing, community safety, school and learning community collaboration to improve quality, professional learning and personalised learning pathways. The decreased funding will reduce the number of staff available to deliver in these areas with the seconded staff returning to their substantive posts, and any backfill element will cease.

**5.2** The new funding model will reduce this number of posts by 42% from 41.5 to 24.07 posts by 2025/2026. In session 2022/23 the local authority Scottish Attainment Challenge funded 39.0 a reduction from 41.5 posts in 2021/22. In session 2022/23 the Strategic Equity Fund will fund 39.0 posts.

### **6. Financial and Procurement Implications**

**6.1** Since its inception in 2015/16 to March 2022 the Council received £12,642,432 in funding. Attainment Challenge allocations to the Council were £2,043,815 in both 2020/21 and 2021/22. Funding in 2022/23 is £1,745,797 which is a reduction of £298,018.

### **7. Risk Analysis**

**7.1** The reduced funding model could impact negatively on sustained improvement in future academic sessions. However we will continue to monitor this closely to inform future planning

## **8. Equalities Impact Assessment**

- 8.1** A full Equality Impact Assessment has been completed and has identified the decrease in funding will limit the Education Services' strategic ability to deliver and progress a range of functions within the raising attainment agenda. Scope exists to mitigate the adverse impact on pupils; however this requires adaptations across key service areas through the modification of plans to reflect the reduction in Scottish Government Funding.

## **9. Consultation**

- a. Legal Services and the Section 95 Officer have been consulted in relation to the content of this report.
- b. In response to the revised funding model consultation is being conducted with stakeholders to produce West Dunbartonshire's Strategic Equity Fund plan for 2022-2026.

## **10. Strategic Assessment**

- 10.1** This reports reflects the Council's 2017-2022 overarching priority to reduce inequalities for the people of West Dunbartonshire which supports improved outcomes for all learners in our community.

Laura Mason  
Chief Education Officer  
June 2023

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**Person to Contact:** Julie McGrogan, Senior Education Officer, Department of Education, Learning and Attainment, Council Offices, 16 Church Street, Dumbarton, G82 1QL  
Telephone No: 01389 737316  
Email: [julie.mcgrogan@west-dunbarton.gov.uk](mailto:julie.mcgrogan@west-dunbarton.gov.uk)

**Appendix:**

- 1. [WDC Improvement Framework – Evaluation 2022/2023](#)
- 2a. [Standards and Quality Report Sample 1](#)
- 2b. [Standards and Quality Report Sample 2](#)
- 2c. [Standards and Quality Report Sample 3](#)

**Background Papers:** Equality Impact Assessment

**Wards Affected:** All wards



## WEST DUNBARTONSHIRE COUNCIL

## Report by Chief Education Officer

Education Services Committee: 21 June 2023

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**Subject: Early Learning and Childcare Progress Update****1. Purpose**

- 1.1** This report provides progress made to provide high quality Early Learning and Childcare (ELC) in West Dunbartonshire Council (WDC).

**2. Recommendations**

- 2.1** It is recommended that Committee notes: progress to deliver the statutory entitlement of high quality Early Learning and Childcare (ELC).

**3. Background - Evaluation of ELC Provision****3.1** Quality of our ELC

Outcomes for children continue to be very positive. This is evidenced through external evaluation by HMIE and the Care Inspectorate, WDC Quality Improvement Framework and data analysis of children's progress.

**3.2** Aspect Review of ELC

This session our quality framework review focussed on curriculum rationale and design; leadership of pedagogy and play; curriculum learning and development pathways. The evidence gathered from learners, staff, parents, carers and senior leaders shows that outcomes for children are very good. Summary of our findings:

- Detailed and effective use of progress data to inform planning and interventions.
- High expectations for children's attainment and achievement.
- Collegiate approaches to develop curriculum rationale and vision.
- Effective parental involvement and engagement.
- Links to the local community to enhance curriculum offer.
- Well maintained and well looked after environments for learning, rich in resources, providing areas for play, and quieter spaces for children to experience a good pace of the day and times for rest.
- Support for health and wellbeing using exploration of feelings.
- Up Up and Away framework and associated professional learning was beginning to impact.
- Children's reflection on learning was very well supported to personalise the learning journey.
- Children were happy to share their learning using the journal approach.
- National guidance; Realising the Ambition was informing and improving practice.

- Curriculum for Excellence was evident in the principles of curriculum design.
- The One-ery model of early level learning was impacting learners' experiences; based on play pedagogy and nurturing approaches.

### **3.3 Parents Views**

Parents were consulted at all visits through focus groups. Parents were asked set questions which provided rich feedback about children's learning, the quality of the ELC, their engagement in their child's learning and impact on family life. We found that most parents now expect 1140 hours and some are not aware of the 600 hour offer. Outcomes for children was the main benefit for parents who responded. See Appendix One for a sample of responses.

- 3.4** The West Partnership 1140 Hours Evaluation Study will report on children's outcomes, the experiences of those involved including staff and parents views. The results from all phases of this research will be analysed together to give us a holistic understanding of the impact of 1140 hours across the West Partnership. These findings may be published in various articles or reports to contribute to our understanding of how this policy has affected children's outcomes and possible next steps for the sector. Education Service Committee will be updated when the report is published.

### **3.5 Staff Views**

Most staff said that they had been involved in the development of their curriculum rationale and ELC vision. They described their leadership roles to develop the curriculum, training and involvement in improvement priorities. Many staff reported that they were undergoing their BA qualification and a large proportion were already qualified to this level. The Froebel training and approaches were also impacting the curriculum offered to the children; large numbers of staff said they have benefitted from training in this methodology to develop children's skills for life. Some staff, at a very small number of ELC, said they need support to provide an appropriate curriculum for children with additional support needs. Transition across early level and planning collaboratively was commented on positively.

## **4. Developing ELC Provision**

- 4.1** A consequence of the eligible 2 year old policy is earlier identification of children with additional support needs (ASN). Numbers of 3 and 4 year old children with ASN has also increased in the last few years. A working group of early years professionals was set up to scope out developments to service delivery which might better support the growing population of children with additional support needs (ASN) in our mainstream settings. In particular, children with autism (ASD), the need for specialist ELC provision and training and support for our ELC staff teams. We found that models of provision in other authorities were based on assessment of children, ASN panel referrals, and ASN service which was integrated within ELC mainstream provision and provision for children with complex learning needs.
- 4.2** Application to ELC has been revised which will allow parents to identify their child's ASN. This means that our ELC can provide earlier intervention and support for parents to meet the needs of specific children. We also identified



training and support required at our ELC. This is currently being addressed with a programme of learning and support underway. Education Services Committee will be updated when options for specialist provision within mainstream ELC are available for consideration. Any such provision must align with the overall ASN Strategy.

## **5. Deferred Entry**

- 5.1** From August 2023 families can make the choice of deferring sending their children to school. Our Admissions' Policy has been updated to reflect this statutory change. We have capacity in all geographical areas to meet the demand which has increased over time from approximately 30 children to 118 children for school session 2023-24. This means that if a child is still aged 4 years on the day they would usually start primary 1, parents have the right to delay (or defer) their child's start at primary school. Under this new legislation a child can start school the following year, when they are 5 years old (six years in September). In the previous system, the youngest children, those with January or February birth dates, were automatically entitled to an additional year of funded ELC. Those with an August to December birthday could still defer their school start, but had to apply to the local authority to request funded early learning and childcare for that year. This no longer applies: we can advise but it is the parent who has the choice.
- 5.2** We are supporting our schools and ELC with the implications for the older age range of children in our P.1 and at ELC, through a programme of staff development and professional learning; continued development of play pedagogy at early level and professional collaboration. Further work will also be carried out to find out the profile of the children and families who choose to defer i.e. attendance, attainment outcomes, gender split, SIMD distribution, additional support needs and children at risk of not achieving.

## **6. Children's Progress**

- 6.1** Assessment data gathered in March 2023 shows that children continue to progress well in literacy and numeracy outcome measures. Our ELC use individual Statistical Reports to analyse their children's attendance, gender, ASN and reasons for support, SIMD distribution and children at risk of not achieving. The report also has literacy and numeracy data action planning which is derived from the data. Our projected stretch aim for June 2023: is 67% of all children will achieve the benchmark in Concepts of Print which we are confident will be achieved.

## **7. Inspections**

- 7.1** Our ELC continue to meet the criteria for the National Standard of good and above evaluations of their service. We are confident in our leadership, quality improvement framework, training and support contributing to sustaining good and above evaluations, high quality at ELC and positive outcomes for children and families. The inspection of our ELC by Education Scotland has resumed. Whitcrock ELC took part in a national thematic inspection focusing on curriculum design. The purpose of the national thematic inspection was to gather evidence on what is working well; aspects for development, any challenges in designing a curriculum and examples of highly effective practice or innovation. HM Inspectors will use the evidence gathered from the visits to

develop a national report on the approaches to curriculum design and its impact on improving outcomes for learners. Whitecrook ELC have been invited to provide a case study of their work which will be part of the national report.

## **7.2 Review of inspections**

Following the publication of the Scottish Government's response to the consultation of the Inspection of Early Learning and Childcare and School Aged Childcare Services in Scotland, Care Inspectorate and Education Scotland are working together to progress the development of the shared inspection framework. This review will impact ELC, childminding and school aged child care. The shared inspection framework will replace existing frameworks, 'How Good Is Our Early learning and Childcare' and the Care Inspectorate's 'Quality Framework for day care of children, childminding and school aged childcare'. We are currently in the consultation stage, with expected recommendations to be made in December 2023. Implementation is expected as inspection methodology by the Care Inspectorate from April 2024, and Education Scotland from September 2024.

## **8. Best Start: Strategic early learning and school age childcare plan for Scotland 2022 – 2026**

### **8.1 Key aspects of the vision, priorities and outcomes of the Best Start Plan:**

- Benefits of 1140 hours expansion - outcome measures
- Build a system of school age childcare
- A new offer for 1 and 2 year olds
- Sustainable, diverse, thriving sector and profession – Strategic Framework
- Fair funding and outcome frameworks
- Robust data
- Regulation of services and support for quality improvement

Funding for projects such as expansion for one and two year olds are not clear at this stage. A Pilot project is underway for School Age Childcare which will benefit most in need children and families in Glasgow. Committee will be updated as plans become available for Best Start and what it may mean for West Dunbartonshire children and families.

## **9. Expansion Projects**

### **9.1 Outdoor project plans for Gartocharn and Brucehill ELCs are underway. The project for compliance and improvement at St. Mary's ELC Alexandria is complete with a new free flow entrance for children and much improved garden space provided. Linnvale ELC compliance project will recommence in August. Christie Park new ELC project is underway, scheduled opening of the new class planned for September. Some parents have opted to move their 4 year old child from neighbouring ELC when Christie Park opens. New children i.e. 3 year olds who are entitled from August have been given the option to start at another ELC until Christie Park opens.**

## **10. People Implications**

- 10.1** Support is provided for ELC staff teams and leaders identified to support delivery of the high quality ELC and the expectations of the statutory offer of 1140 hours for eligible 2 year olds and 3 and 4 year olds.
- 10.2** We have 48 career changers to date; 5 who have just completed their training and gained the ELCO qualification; and a further 9 who are undertaking the qualification at present. All career changers are women. We will continue to promote this career path and route to qualification in particular for men.

## **11. Financial and Procurement Implications**

- 11.1** As reported previously to ensure that it is protected for investment in early learning and childcare, the multi-year funding package for expansion is allocated through a specific grant. There are no changes to the multi-year funding allocation to this authority; figures are cumulative. The multi-year allocations for West Dunbartonshire:

<b>Financial Year</b>	<b>Revenue £m</b>	<b>Capital £m</b>
2018/19	1.410	0.580
2019/20	5.268	2.380
2020/21	8.717	4.480
2021/22	9.723	5.880
2022/23	9.485	0.794

## **12. Sustainable Rate Setting**

- 12.1** The 2022 ELC LA Funding & Support data report was published by Scottish Government during December. The published version of the report is available at:  
[Summary of the Returns - Early learning and childcare providers - local authority funding and support: overview 2022 to 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/summary-of-the-returns-early-learning-and-childcare-providers-local-authority-funding-and-support-overview-2022-to-2023/pages/summary-of-the-returns-early-learning-and-childcare-providers-local-authority-funding-and-support-overview-2022-to-2023.aspx)
- 12.2** Scottish Government and COSLA have reviewed the sustainable rate setting process in 2022-23. The aim of the review is to learn lessons from rate-setting during 2022 and to identify where the process can be improved further; and to ensure that the sustainable rates set reflect the costs of delivering funded ELC.
- 12.3** Our funded private providers have proposed an increase to the hourly rate. The providers state that they would absorb 12% of the average operating cost increases that they have experienced. Their proposal is based on payment of the real living wage, inflation and energy costs. This proposal is a 5% uplift for 3 and 4 year olds from August 2023. This represents a 0.28 pence increase, bringing the rate to £5.95 per hour. We continue to work within Government guidance to set the rate, budget available of which an ELC funding decision is awaited. We have not committed to % increase or agreed format for arriving at a new rate. Discussion will continue with providers.

### **13. Risk Analysis**

#### **13.1 The Key Risks:**

- Maintaining high quality ELC at all funded providers to ensure that they meet the National Standard Criteria.
- Failure to deliver 1140 hours curriculum by confident, well-trained ELC staff teams.
- Evaluations of good for environment by Care Inspectorate are at risk if ELC building assets are not maintained.

### **14. Equalities Impact Assessment (EIA)**

**14.1** An EIA for the Expansion Plan was undertaken previously. There was no requirement to undertake another EIA for the purposes of this report as it is providing an update for Committee.

### **15. Consultation**

**15.1** Regular consultation with stakeholders including parents and carers, ELC staff, Unions, Council partners in the project and partner ELC providers continues through the various WDC fora and regular meetings.

**15.2** The service delivery model has been reviewed at Kilbowie ELC. The number of parents taking up the offer of the 50 week service has diminished over time with this session only 5 children attending in the afternoon, 50 weeks. The parents were consulted and have agreed to term time service from August 2023.

**15.3** Legal Services and the Section 95 Officer have been consulted in relation to the content of this report.

### **16. Strategic Assessment**

**16.1** This report reflects the Council's aspiration to have a strong local economy, improved employment opportunities and efficient and effective frontline services that improve the everyday lives of residents. These are strategic priorities for 2017-2023.

**Laura Mason**

Chief Education Officer

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**Background Papers:** none

**Wards Affected:** All



**Parental Responses - Aspect Review Questions 2022 - 2023**

**Please describe how the nursery works with you and supports you in helping your child to make progress**

Good communication

Nursery staff have listened to my concerns and adapted the nursery environment to suit the needs of my child. They regularly inform me of progress by daily chats and his learning journal.

Fantastic communication between parents/ carers and nursery through various channels (Facebook, Learning Journals, newsletters, noticeboard). Learning Journals updated at least every week which gives a real insight and flavour as to current learning in nursery. Facebook posts from nursery about Book of the Month, Word Aware etc and activities that could be used at home. Parents Evening with key worker to discuss specific progress of child. Several opportunities to be included in child learning in the nursery.

**How has 1140 ELC impacted you?**

I am able to work without worrying about who will look after her.

I can work from home without interruption.

My older child had 600 hours and I spent a good part of the day dropping off and picking him up.

I'm at college (a fair number of parents reported this).

I am registered disabled and prior to 1140 I often had to keep my child off from nursery as there was no time to get to hospital and back again. This really impacted him socially. Now with the longer day I can go to my hospital appointments and he can attend nursery. The nature of my disability means that my appointments are sporadic. Now I don't worry about this.

I am a grandmother of two girls. My son has been out of work for years and has always struggled to hold onto a job because he had to drop off and pick up at nursery. He has now been in a job for almost a year and this has meant that the girls have had a holiday this year.

**Describe the experience you have each day with the nursery staff**

Nursery staff have a soft start in place each morning for my child and they always take the time to approach him in a way that makes him feel welcome and safe and cared for.

Warm, welcoming and inviting, always able to grab quick chat about child day. Any concerns/ worries are easily discussed and shared.

Smooth and safe entrance and exits
It is always a nice experience dropping and collecting my child, well-staffed and well organised.
The nursery makes me feel really welcome. I can come in and have a cup of tea and some toast and talk to my girl's lady. I have made friends with other parents through nursery.
In the morning, my daughter is greeted and staff are happy to see her.
I receive communications regarding my daughter throughout the day.
<b>When your child first started, how was their induction and enrolment? Did you feel that the nursery made a good care plan, individual to your child?</b>
Yes very good.
Unfortunately my child's induction took place mid pandemic when social distance rules were in place. This was not a good settling in process for him.
Thorough interview initially to discuss all aspects of child from eating, health and even hobbies.
Nursery induction was well supported between key workers and parent. Nursery attendance built up gradually reflective of the need of the child.
Nursery staff all welcoming and already knowledgeable about each child before they started
Yes they covered all aspects, answering all my questions and putting my mind at ease, they learned my child's needs very quickly which helped settle her in.
Good transitions were in place when she started at five months old. Conversations took place and transition days occurred.
Good transitions built up from 20 minutes to full sessions over approximately 10 visits. These specifically met the needs of the individual child.
<b>In what ways has the nursery's approach felt individual to your child and their needs?</b>
The nursery staff have adapted the nursery environment and his routine to meet his needs. Nursery staff listen to him and his interests and develop his learning through his interests.
Learning Journal provides individual insights into child at nursery and their learning whilst there. Very clear that nursery staff know your child from conversations. Play opportunities are responsive and reflective of child's needs and interests.
Each child being in a certain group helps the teacher get to know the kids one on one and he has a great relationship with all the staff. I always feel he is in safe hands and well looked after



My son is a really fussy eater. I was really worried that he would be hungry at nursery because he was in longer days. The nursery worked with me and my son to encourage him to try new foods. He is now eating things he would never have tried for me at home.
My daughter has an allergy and there is a clear strategy in place for this. Staff are thorough and work with caution and care, always reviewing her medications. They cater perfectly for her.
<b>What groups have you been involved in or what sessions have you been invited to? If you went, what did you do and what did your child gain from it?</b>
Stay and Play was so good for me to observe my child settled, happy and playing well with other children.
We have been invited to several sessions across the year. At the start we had a stay and play session which allowed me as a working Mum an opportunity to see the nursery and how it was set up and share that moment with child. We also had an evening opportunity to experience how the nursery day runs. Parents Evening to discuss specific needs and targets of child alongside their learning journal. An opportunity to read with child at World Book Day. Christmas Concert, Visit from Santa, Easter Bonnet Parade.
Sports day, Christmas activities, and invited into see them in the nursery environment, reading them a story and enjoying playing with them, she loved showing me around her class she gained loads of confidence in both these sessions
The nursery have loads of opportunities every week to come in and cook, read, sew or garden with the children. It is good because I make things like pasta, bread and soup with my daughter in nurse and take it home and use it for dinner at night.
I help run the community food and clothes shop with my daughter who comes to the nursery. The nursery runs it every week and it means we can take food, clothes and toys if we need it.
Not sure about this question but there's a nursery library every Friday where all the children come and pick a book to read with their family over the weekend. I really like this idea.
I was invited to a stay and play session and was able to see the children play in their environment.
I have been invited to join the parent council, to participate in stay and play opportunities and I have been invited to a Mother's Day breakfast.
<b>Have you ever had to raise concerns? How did you do it and what was the response?</b>
Note: almost all parents said no to this question.
I have had concerns about my child's development and the nursery staff have

always been very responsive and make time to listen to my concerns and put a plan in place and update me where necessary.
One incident of another child lashing out, it was totally dealt with and the nursery couldn't be more accommodating in dealing with the matter all solved and no further issues
<b>What do you understand of the nursery's vision, ethos and aims?</b>
I couldn't quote any policies verbatim but I know from personal experience that the nursery approach is to give all children equal opportunity and access to education in a way that celebrates individual qualities and builds respect and friendships and with their peers.
All parents were consulted about what they believed the vision, ethos and aims of the nursery should be. Once they were agreed an email containing a graphic of the vision, ethos and aims were shared with all parents. This made it clear that the nursery aims were inclusivity, community and nurturing each child to their fullest potential - amongst other things.
I believe the nursery's vision is to help each child develop as much as they can while in their care.
We were included in the process and I feel it's all very good
The rationale is on display and is also on the website. It highlights the children are the most important part of the nursery.
<b>How do you find out about what improvements the nursery is planning to make?</b>
The nursery newsletter always outlines any improvements, the most recent one being the outdoor space. This has also been discussed on a 1 to 1 basis with staff.
Parents are often consulted through Facebook to canvas ideas and opinions about how to improve the nursery for the learners. Nursery staff shared pictures of their newly organised areas within the nursery with a natural approach. They also asked for donation of real life resources to be used in these areas. This was funded by parent donations and fundraising so was nice to see where the money was well spent. A huge change has been made outside the nursery to make a better, free flowing outdoor learning area. This has been shared and discussions with parents have been had about ways to improve and fundraise for this area too. Lending Library is also discussed and volunteers often asked for, as well as book donations.
The emails / messages are fantastic always updates with any information that's needed, as the garden has just had work done and we were given updates on the progress
The newsletter and regular email updates.

**Any other comments:**

My child has additional needs and the support we have both received has been excellent.

As a parent I feel very included in the learning, the learning spaces and that my opinions matter. I feel like I can visualise my child's day at nursery and the learning that takes place. This helps me to understand the day my child has had and help support them with learning at home.

For the first time my child has been included and invited to 2 birthday parties. I feel she is accepted and is part of society.

The staff know my child inside and out. They make personal touches like asking me how my other children are. They are at school now but used to attend the nursery.



**WEST DUNBARTONSHIRE COUNCIL**

**Report by Laura Mason, Chief Education Officer**

**Educational Services Committee: 21<sup>st</sup> June 2023**

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**Subject: Services for Children, Young People and Families Update Report**

**1. Purpose**

**1.1** The purpose of this report is:

- a) to inform Educational Services Committee of progress on supports to children, young people and families.

**2. Recommendations**

**2.1** Members of the Educational Services Committee are asked to:

- a) Note progress on plans to continue developing and improving supports.

**3. Background**

**3.1** In January 2019 a national review of the implementation of Additional Support for Learning began. The subsequent report and action plan had nine key themes which set standards nationally, locally and at establishment level.

**3.2** The national report recommends that local authorities must take account of the findings of the report to review and align their quality assurance processes. This must drive improvements in processes, practice and outcomes at all levels in the system.

**3.3** West Dunbartonshire Council (WDC) is committed to ensuring all children and young people are enabled to progress through Early Learning and School with the support they need.  
When this support is more or different to what is generally provided for children and young people of the same age, then the child or young person is said to have additional needs.

**3.4** The Education (Additional Support for Learning) (Scotland) Act 2009 lists four interrelated factors which individually or jointly impact on ability to learn:

- Learning Environment
- Family Circumstances
- Disability or Health
- Social or Emotional Factors

Additional support may be required throughout a child or young person's

educational journey: others may only require additional support for a short period of time.

- 3.5** It is recognised that children, young people and families are best supported through effective multi-agency planning and delivery of services. Educational Services work in collaboration with a range of council, Health and Social Care Partnership (HSCP) and third sector colleagues to support our families. This work is being developed via the Whole Family Wellbeing (WFW) planning, led by Educational Services on behalf of the Community Planning Partnership.

#### **4. Main Issues**

- 4.1** There are currently 12, 226 school pupils in West Dunbartonshire Council. 5281 Pupils have Additional Support Needs (ASN) (43%), supported mainly in mainstream schools. Approximately 241 pupils are supported in our specialist settings as they require a more specific learning environment. We also have a small percentage of our children and young people with additional support needs supported by day or residential providers in external placements. These often involve young people separated from their peers and their community and can be expensive in comparison to supporting in-house. These costs have increased significantly over the past few years due to increased salaries and increased charges from partner providers for the range of specialist supports offered. This has resulted in budget overspends and it is anticipated that there might be mitigation of these to some extent by the strategy implementation.

Our ASN Estate consists of:

- 1 all through setting for 0-18 years supporting learners with complex ASN
- 2 Secondary Bases
- 4 Primary Bases

- 4.2** In response to projected needs in the secondary school estate, work is underway to expand the Kilpatrick School Campus with three additional classrooms. The provision of temporary modular classrooms has been undertaken and young people are in the process of transitioning into these. The planned building extension work is due to be undertaken later in school session 2022/23 has been delayed.
- 4.3** Plans to re-develop the former Riverside Early Learning and Childcare Centre (ELCC) to create a school for severe and complex learners, are progressing well. Officers have finalised layout plans in collaboration with Asset Management and clarity around services provision has been agreed. It is anticipated the resource will be finished in time for school session 2024-2025.
- 4.4** Education Leaders have collaborated to identify key areas of development and focus for Year 3 of the Additional Support Needs (ASN) Strategy. Work streams will continue to be underpinned by the National Improvement Framework and focus on developing the capacity of all staff to best meet the needs of individual children and young people. We recognise from our survey

of parents that they too need help supporting their children. Planned work with our partners in HSCP will enhance the programme of parenting supports being established.

**4.5** Notable progress has been as follows:

- Year 2 of the implementation of the Child Inclusion Research into Curriculum Learning Education (CIRCLE) will be completed in June of this year. All schools in the authority completed training at the beginning of the year and nominated a Champion to attend termly training and support sessions;
- Reviews of the impact of the Champions sessions on school staff and practice, inform us that almost all school Champions have increased confidence in using the Framework and in sharing this knowledge and understanding with practitioners in their establishments, leading to improved outcomes;
- Learning Assistants in all WDC schools undertook a range of professional learning supporting pupils with additional support needs during March and April. Almost all staff who attended the training reported that their knowledge, understanding and confidence in the area had markedly increased and that there would be a positive impact on abilities to support pupils. Participants particularly felt they benefitted from the hands-on practical nature of the training and the opportunity to collaborate with staff in a variety of establishments. Year three of our ASN Strategy will continue to develop the range of professional learning provided.
- Clear and consistent process have been established via a shared Transition Policy for our pupils transitioning into Specialist Settings. This policy has a clear timeline with details of accountability across services and proposed impact to support the transitions of our children and young people. This revised policy has taken account of all stakeholders as well; ensuring we meet the needs of all learners at key points of transition whilst maintaining equity and timely proportionate support for our most vulnerable learners.
- The implementation of Social communication, emotional regulation, transactional supports (SCERTS) in all specialist settings has ensured consistent approaches to using the SCERTS framework with parents/carers at review points for their children. This document was created by our SCERTS Champions with representation from across all specialist settings. It gives a comprehensive overview of the SCERTS approach as well as practical strategies to support home and school collaboration, providing a basis to build upon vital communication skills developed in each setting.
- A focus of year 2 of SCERTS development was developing Parental Involvement in the Framework. A May Conference enabled all settings the opportunity to learn from each other and share good practice in the range of ways this has positively impacted on the engagement of parents and carers with SCERTS. Leaders have developed a range of shared collegiate and In Service activities next session which will continue to develop inclusive practices and provide opportunities to learn with and from others.

- We continue to develop approaches to supporting our care experienced children and young people in a range of ways such as: specific tracking of attendance and attainment with targeted interventions to address gaps and working in collaboration with partners across the West Partnership to produce a Promise Award which will support schools in developing their awareness and understanding of The Promise. All schools will undertake professional learning on this with an ambition of completion during sessions 2023-2025, ensuring we maintain a care experienced lens and our commitment to improve the educational experiences and outcomes for our care experienced young people.

**4.6** The Mentors in Violence Prevention (MVP) Programme uses a unique, creative, bystander approach, giving young people the chance to explore and challenge attitudes, beliefs and cultural norms that underpin gender-based violence and all types of bullying and abuse. Four of the authorities secondary schools have participated in MVP staff training this session and school leads plan to establish MVP School Mentor Support Teams in the next session. Young people in each school will be trained as peer mentors and deliver MVP sessions to their younger peers exploring issues such as: online bullying, domestic abuse, sharing of images and consent. By December 2023 all high schools will have participated in training and will have Support Teams in place.

**4.7** The appointment of a Children's Rights Officer has taken place which will support our service and others in ensuring the voices of our children and young people will be heard and their Rights upheld across the community planning partnership. Guidance and professional learning offered will support services in safeguarding and enshrining children's rights in policy making, decision making and day to day practice. It will also support understanding of the need for and range of ways in which children and young people can and should be involved and included in decision making.

**4.8** This term a working group of Officers and young people collaborated to produce parent and pupil friendly Child Protection (CP) supports. The group comprised a range of pupils at different stages of secondary school who had varied life experiences. The group aimed to ensure the information shared contained key subjects such as: what constitutes abuse, when and where to get help and what happens next once you seek help. The supports were designed to use a mixture of QR codes, information via posters and visuals which will be shared in a range of ways and displayed across settings. A similar version to support those with additional needs is being produced. These will be launched in June and revised by all establishments in the new school term.

## **5. People Implications**

**5.1** There are no people implications as a direct result of this report. However it should be noted that in line with the recommendations in the ASN Review we



must ensure we have a well-trained, high quality workforce who are equipped to support the range of needs and rights of our children and young people.

## **6. Financial and Procurement Implications**

- 6.1** £0.3m of funding was allocated for ASN provision at Educational Services Committee on 11 March 2020. Additional budget will be required to deliver Kilpatrick ASN provision and once anticipated costs are known a further report will be provided to Committee.

## **7. Risk Analysis**

- 7.1** If the Council is unable to ensure appropriate support to children and young people, we will not be meeting their needs under the terms of the Children and Young People Act 2014 (Equalities Act 2010).
- 7.2** If the Council is unable to ensure appropriate support for all children, young people and staff this could result in reputational damage.

## **8. Equalities Impact Assessment (EIA)**

- 8.1** As noted in the previously produced Equalities Impact Assessment, the ASN strategy and subsequent supports and guidance developed will enhance the quality of the service provided to all children, young people and staff and therefore can be seen to have a positive impact in terms of the equalities.

## **9. Consultation**

- 9.1** Legal Services and the Section 95 Officer have been consulted in relation to the content of this report.

## **10. Strategic Assessment**

- 10.1** This report reflects the Council's aspiration to reduce inequalities for the people of West Dunbartonshire.

**Laura Mason**

Chief Education Officer

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**Background Papers:** Getting it Right for Every Child

[Education \(Additional Support for Learning\) \(Scotland\) Act 2009](#)

[Additional Support for Learning Statutory Guidance 2017](#)

Children and Young People (Scotland) Act (2014)

Included, Engaged and Involved Part 2: A Positive to Preventing and Managing School Exclusions (2017)

Report to Educational Services Committee on 11 March 2020: Learning Estate Strategy 2020-2030

**Wards Affected:**

All Wards

## WEST DUNBARTONSHIRE COUNCIL

## Report by Chief Education Officer

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Education Committee: Wednesday 21 June 2023

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**Subject: School Leaver Destinations 2021/2022****1 Purpose**

- 1.1** This report provides members with an update on our partnership approach to improve the number of our young people leaving school and entering a positive destination.

**2 Recommendations**

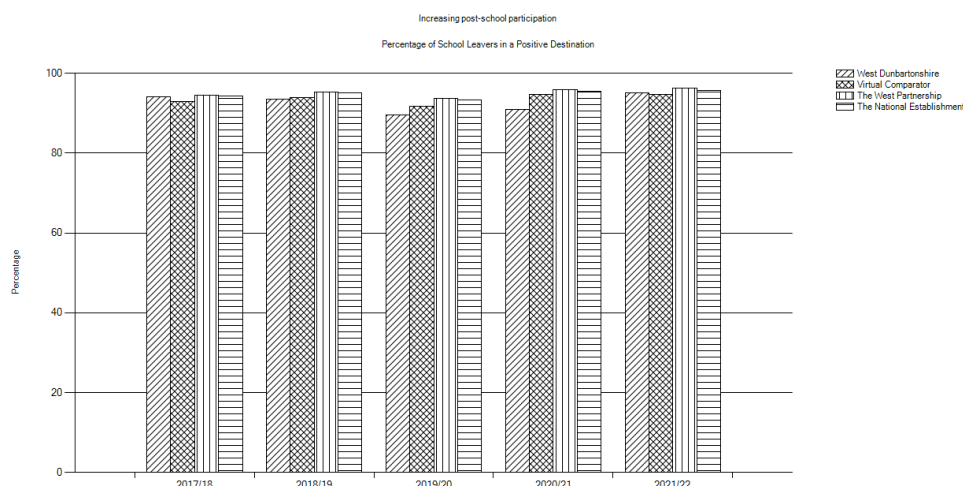
- 2.1** It is recommended that Committee notes the improvement in school leaver destinations.

**3 Background**

- 3.1** Supporting young people to make the transition from school to their next destination is the work of multiple partners – schools, the WDC Senior Phase team, Skills Development Scotland (SDS), Developing the Young Workforce (DYW) West and Working4U.
- 3.2** The percentage of young people entering a positive destination on leaving school is a key metric of performance. This is recorded annually in a School Leaver Destinations Report (SLDR) through the national benchmarking tool Insight, and is a measure in the Local Government Benchmarking Framework. The SLDR report has been developed to provide Local Authorities and schools with individual level data for the school leavers reported within the Scottish Government's school leaver destination statistics publications. All initial destinations are based on the snapshot destination as at the 1st Monday in October (including deferred entry to Higher Education).
- 3.3** Positive destinations can be from a number of categories – further or higher education, training, volunteer work, personal skills development activity or employment.
- 3.4** During the pandemic, our performance in school leaver destinations declined, resulting in us researching why our destinations had changed, and implementing an action with partners to improve our outcomes. This action plan was brought to committee in June 2022.

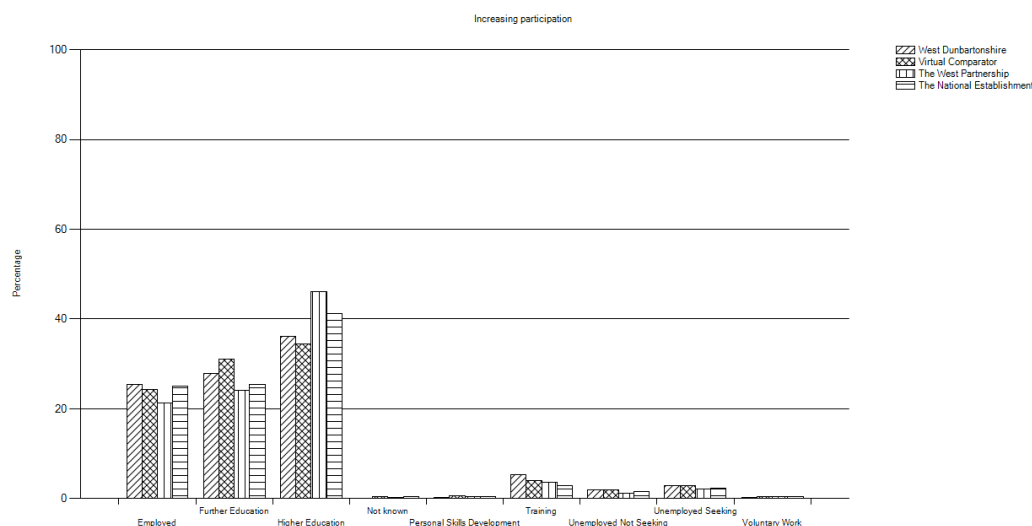
## 4. Main Issues

- 4.1** The SLDR for 2021/2022 recorded 95.11% of our 910 school leavers in positive destinations in West Dunbartonshire, which is an increase of 4.12 percentage points from last years figure of 90.99%, but 0.63 percentage points below the national figure of 95.74%.



	2017/18	2018/19	2019/20	2020/21	2021/22
<b>West Dunbartonshire</b>	94.15%	93.62%	89.66%	90.99%	95.11%
Virtual Comparator	93.16%	94.25%	92.23%	94.92%	94.79%
West Partnership	94.44%	95.22%	93.66%	95.84%	96.27%
National	94.4%	95.05%	93.36%	95.48%	95.74%

- 4.2** Each year, data can also be viewed by destination. **Appendix 1** shows this for each establishment. For WDC, this is shown below for session 2021/22:



	Employment	Further Education	Higher Education	Not known	Personal Skills Development	Training	Unemployed not seeking	Unemployed seeking	Voluntary work
<b>West Dunbartonshire</b>	25.38%	27.93%	36.19%	0%	0.10%	5.40%	2.04%	2.85%	0.10%
Virtual Comparator	24.31%	31.03%	34.39%	0.47%	0.63%	4.00%	1.87%	2.87%	0.43%
West Partnership	21.30%	24.18%	46.13%	0.34%	0.53%	3.73%	1.18%	2.21%	0.40%
National	25.11%	25.45%	41.27%	0.40%	0.51%	2.92%	1.54%	2.32%	0.47%

#### **4.3** When compared with 2020/21, we have seen:

- Employment – an increase of 0.87 percentage points
- Further Education – an increase of 5.4 percentage points
- Higher Education – a decrease of 4.25 percentage points
- Training – an increase of 1.99 percentage points
- Unemployed not seeking – a decrease of 1.15 percentage points
- Unemployed seeking – a decrease of 2.97 percentage points

### **5 People Implications**

#### **5.1** There are no direct people implications arising from this report.

### **6 Financial & Procurement Implications**

#### **6.1** There are no direct financial or procurement implications arising from this report.

### **7 Risk Analysis**

#### **7.1** Partnership working to ensure the greatest number of young people leave school and enter a positive destination is a key component part in our aspiration to have a strong and flourishing economy. Failure to ensure young people enter a positive destination would risk our delivery of our strategic priority of having a strong and flourishing economy.

### **8 Equalities Impact Assessment**

#### **8.1** No significant equalities issues were identified in relation to this report because the content provides an update on our partnership approach to service delivery rather than stating a change in policy.

### **9 Consultation**

#### **9.1** Legal, Finance, the Section 95 Officer and partners in the Strategic Employability Group (sub-group of the 'Flourishing' Delivery and Improvement Group), young people and schools.

### **10 Strategic Assessment**

#### **10.1** This report reflects the Council's aspiration to have a strong and flourishing economy which is one of the strategic priorities for 2022-2027.

**Chief Officer:** Laura Mason  
**Service Area:** Education  
**Date:** 19 May 2023

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**Person to Contact:** Andrew Brown  
[andrew.brown@west-dunbarton.gov.uk](mailto:andrew.brown@west-dunbarton.gov.uk)

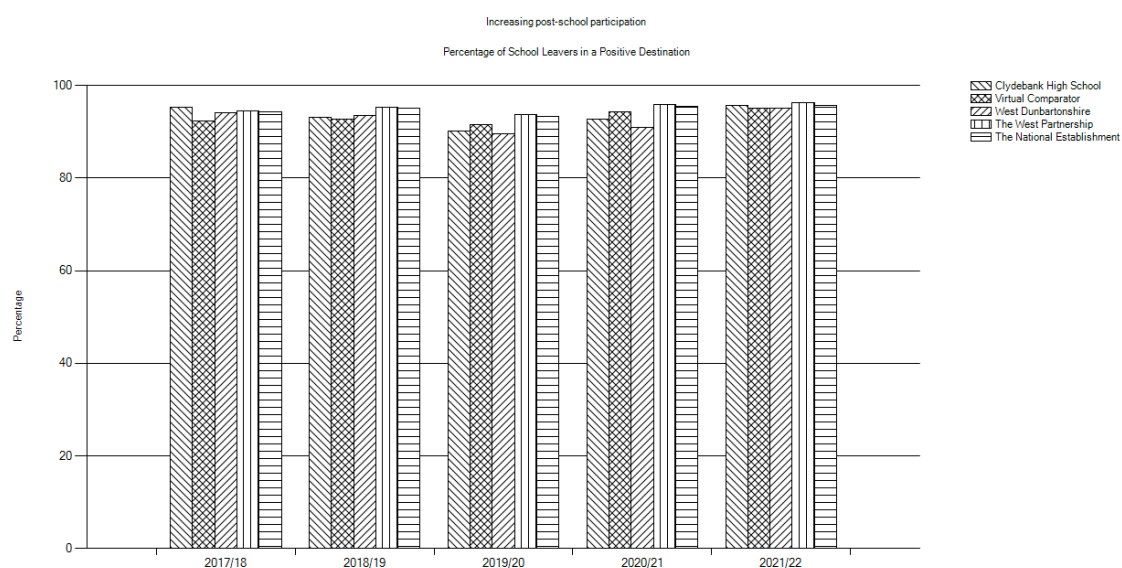
**Appendices:** Appendix 1: School Leaver Destinations

**Background Papers:** None

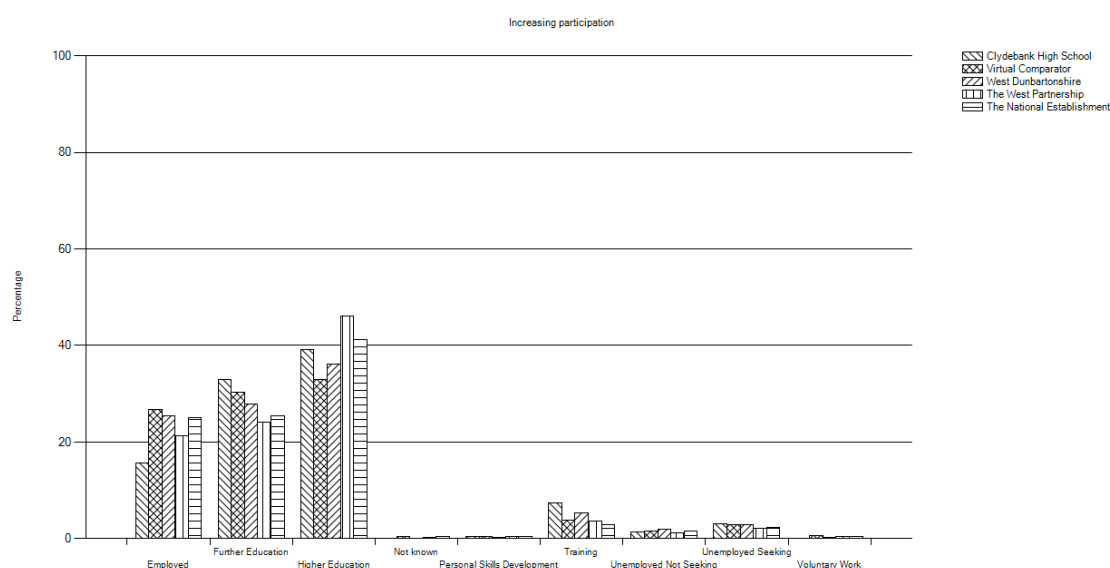
**Wards Affected:** All

## Appendix 1: School Leaver Destinations

### Clydebank High School



	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Clydebank High School</b>	95.32%	93.17%	90.1%	92.67%	95.65%
Virtual Comparator	91.4%	93.37%	91.72%	93.98%	95.04%
West Partnership	94.44%	95.22%	93.66%	95.84%	96.27%
National	94.4%	95.05%	93.36%	95.48%	95.74%



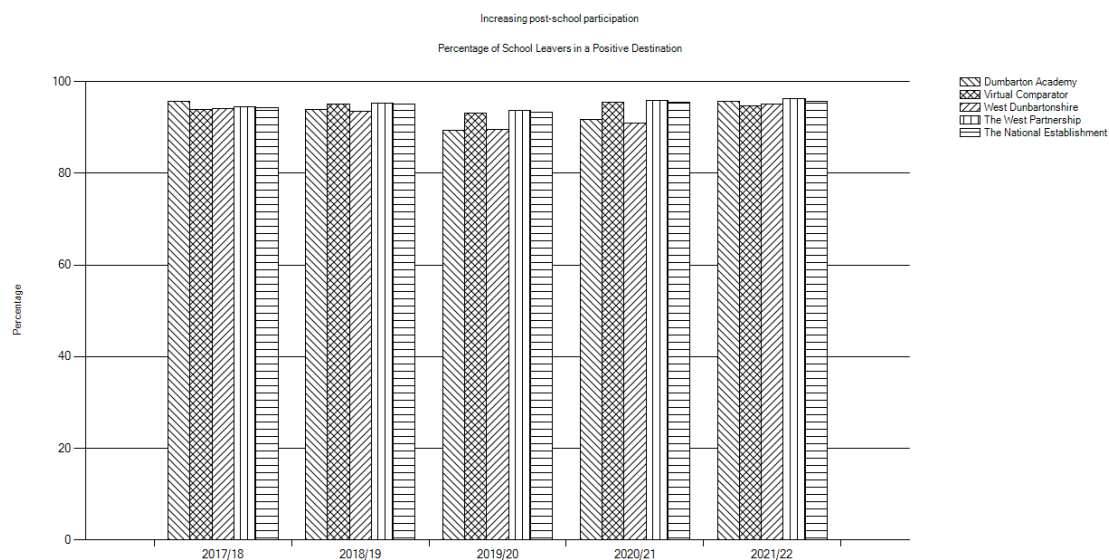
	Employment	Further Education	Higher Education	Not Known	Personal Skills Development	Training	Unemployed not seeking	Unemployed seeking	Voluntary work
<b>Clydebank High School</b>	15.65%	33.04%	39.13%	0%	0.43%	7.39%	1.30%	3.04%	0%
Virtual Comparator	26.83%	30.26%	33.00%	0.48%	0.48%	3.87%	1.52%	2.96%	0.61%
WDC	25.38%	27.93%	36.19%	0%	0.10%	5.40%	2.04%	2.85%	0.10%
West Partnership	21.30%	24.18%	46.13%	0.34%	0.53%	3.73%	1.18%	2.21%	0.40%
National	25.11%	25.45%	41.27%	0.40%	0.51%	2.92%	1.54%	2.32%	0.47%

When compared with 2020/21, Clydebank High School have seen:

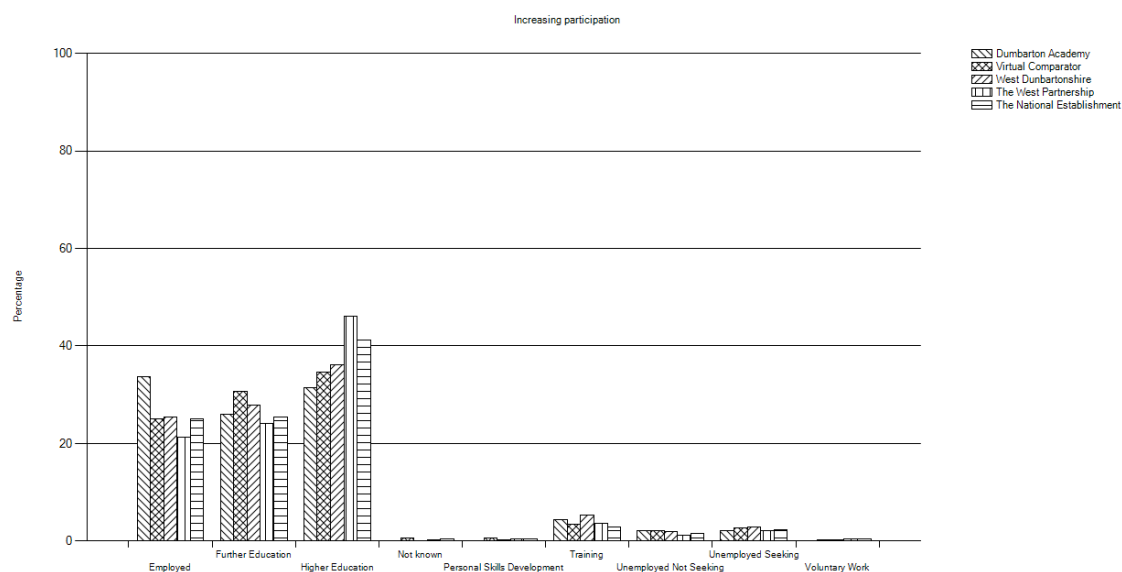
- Employment – a decrease of 3.72 percentage points
- Further Education – an increase of 5.81 percentage points
- Higher Education – a decrease of 2.23 percentage points
- Training – an increase of 2.68 percentage points
- Unemployed not seeking – an increase of 0.25 percentage points
- Unemployed seeking – a decrease of 3.24 percentage points



# Dumbarton Academy



	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Dumbarton Academy</b>	95.7%	93.91%	89.41%	91.67%	95.65%
Virtual Comparator	95.27%	94.87%	93.76%	94.85%	94.67%
West Partnership	94.44%	95.22%	93.66%	95.84%	96.27%
National	94.4%	95.05%	93.36%	95.48%	95.74%

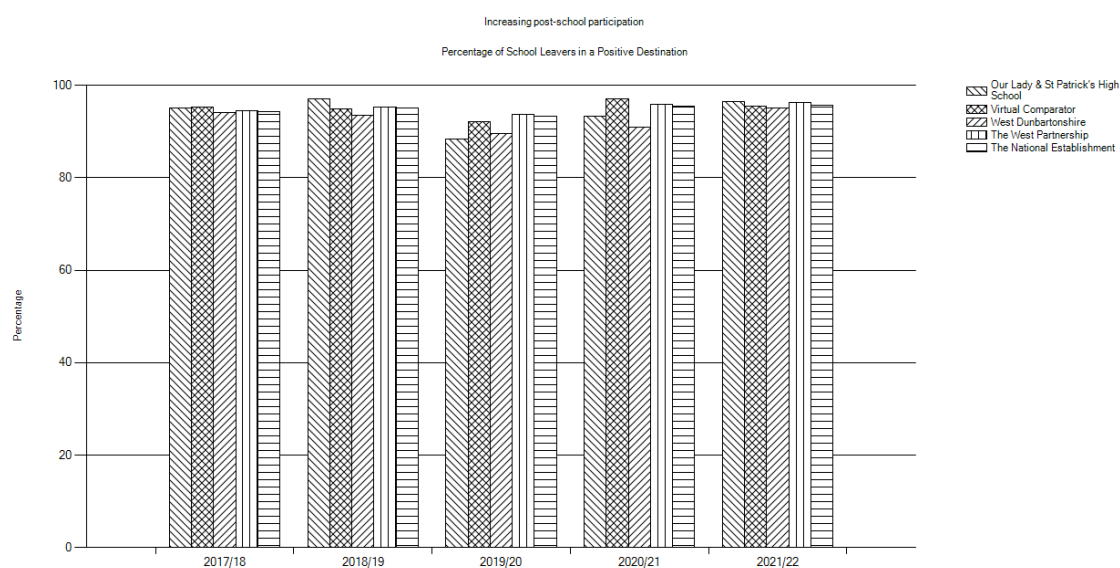


	Employment	Further Education	Higher Education	Not Known	Personal Skills Development	Training	Unemployed not seeking	Unemployed seeking	Voluntary work
<b>Dumbarton Academy</b>	33.70%	26.09%	31.52%	0%	0%	4.35%	2.17%	2.17%	0%
Virtual Comparator	25.11%	30.76%	34.67%	0.54%	0.54%	3.37%	2.17%	2.61%	0.22%
WDC	25.38%	27.93%	36.19%	0%	0.10%	5.40%	2.04%	2.85%	0.10%
West Partnership	21.30%	24.18%	46.13%	0.34%	0.53%	3.73%	1.18%	2.21%	0.40%
National	25.11%	25.45%	41.27%	0.40%	0.51%	2.92%	1.54%	2.32%	0.47%

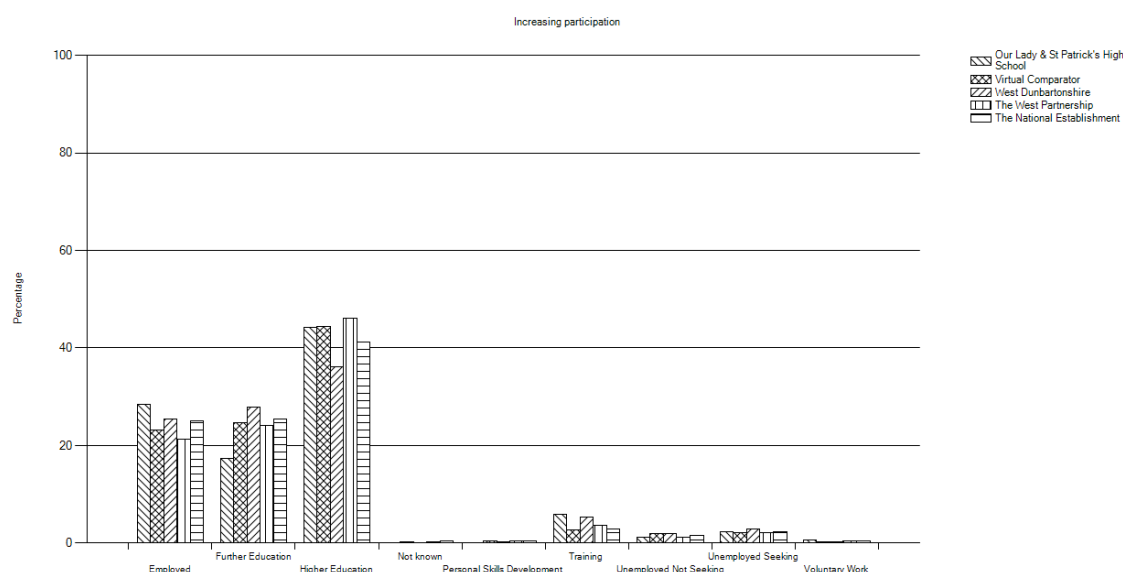
When compared with 2020/21, Dumbarton Academy have seen:

- Employment – an increase of 7.94 percentage points
- Further Education – an increase of 2.61 percentage points
- Higher Education – a decrease of 4.84 percentage points
- Training – a decrease of 0.95 percentage points
- Unemployed not seeking – a decrease of 1.62 percentage points
- Unemployed seeking – a decrease of 2.38 percentage points

# Our Lady and St. Patrick's High School



	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Our Lady &amp; St. Patrick's HS</b>	95.07%	97.16%	88.41%	93.33%	96.51%
Virtual Comparator	94.58%	95.6%	92.44%	96.55%	95.52%
West Partnership	94.44%	95.22%	93.66%	95.84%	96.27%
National	94.4%	95.05%	93.36%	95.48%	95.74%

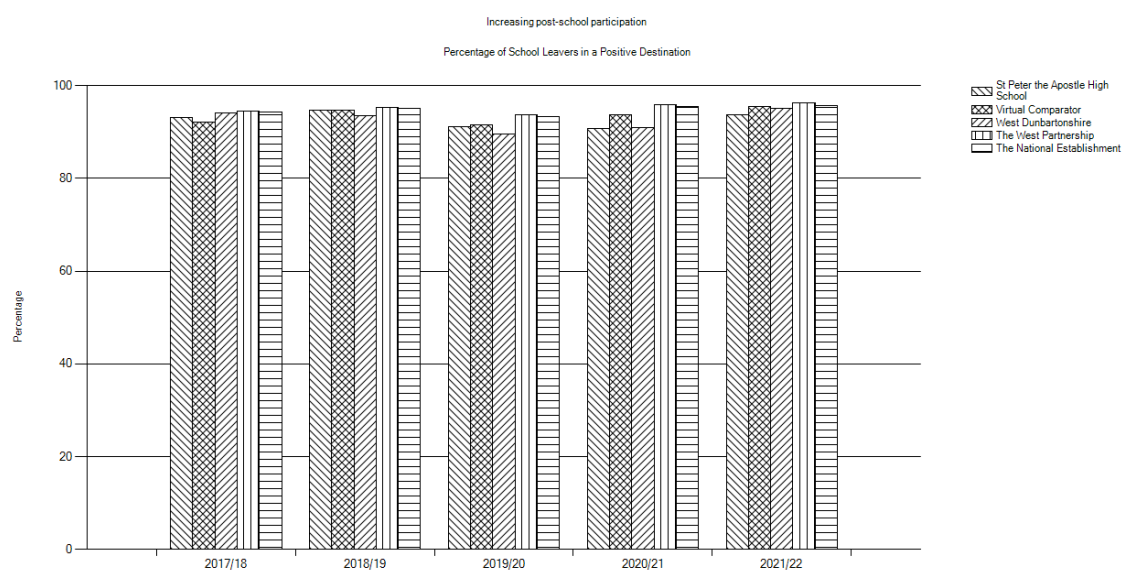


	Employment	Further Education	Higher Education	Not Known	Personal Skills Development	Training	Unemployed not seeking	Unemployed seeking	Voluntary work
<b>Our Lady &amp; St. Patrick's HS</b>	28.49%	17.44%	44.19%	0%	0%	5.81%	1.16%	2.33%	0.58%
Virtual Comparator	23.20%	24.65%	44.36%	0.35%	0.41%	2.73%	1.98%	2.15%	0.17%
WDC	25.38%	27.93%	36.19%	0%	0.10%	5.40%	2.04%	2.85%	0.10%
West Partnership	21.30%	24.18%	46.13%	0.34%	0.53%	3.73%	1.18%	2.21%	0.40%
National	25.11%	25.45%	41.27%	0.40%	0.51%	2.92%	1.54%	2.32%	0.47%

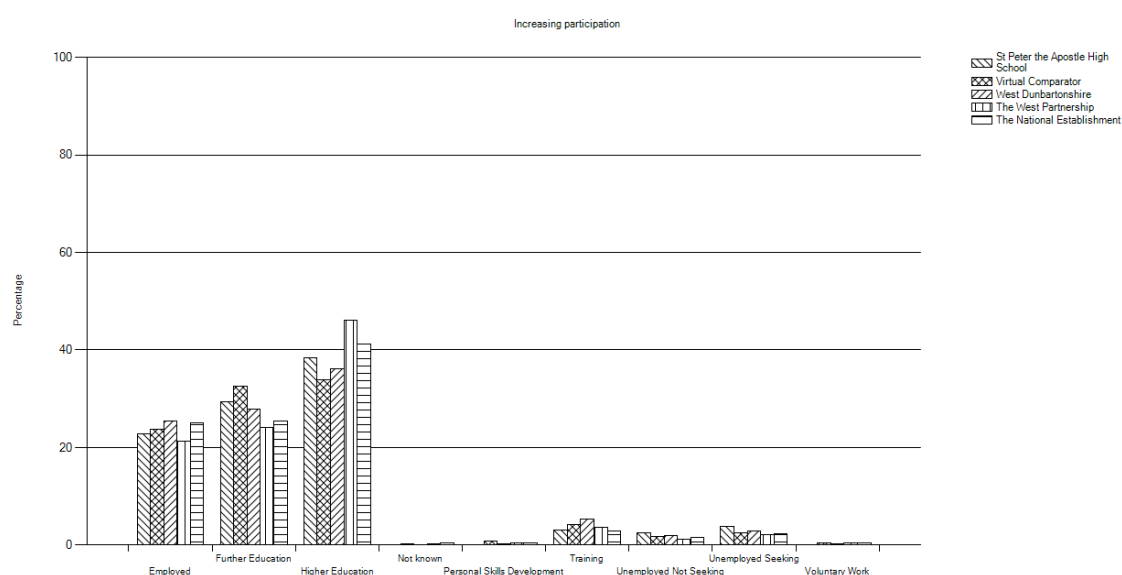
When compared with 2020/21, Our Lady & St. Patrick's High School have seen:

- Employment – a decrease of 4.84 percentage points
- Further Education – an increase of 4.11 percentage points
- Higher Education – an increase of 0.55 percentage points
- Training – an increase of 2.78 percentage points
- Unemployed not seeking – a decrease of 3.08 percentage points
- Unemployed seeking – an increase of 0.11 percentage points

# St. Peter the Apostle High School



	2017/18	2018/19	2019/20	2020/21	2021/22
<b>St. Peter the Apostle HS</b>	93.19%	94.69%	91.14%	90.76%	93.71%
Virtual Comparator	93.28%	94.65%	92.92%	94.54%	95.45%
West Partnership	94.44%	95.22%	93.66%	95.84%	96.27%
National	94.4%	95.05%	93.36%	95.48%	95.74%

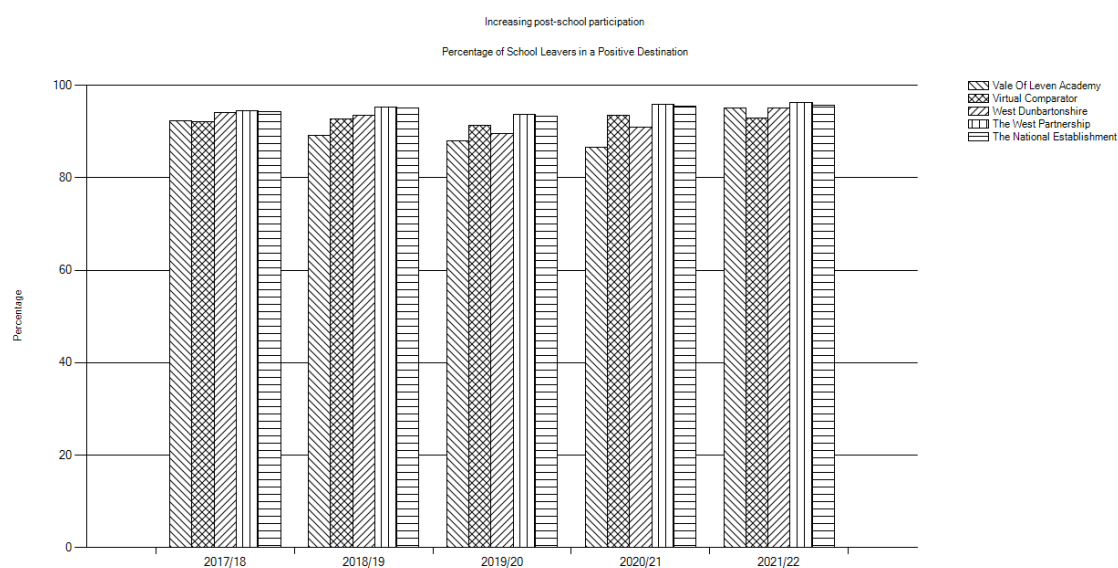


	Employment	Further Education	Higher Education	Not Known	Personal Skills Development	Training	Unemployed not seeking	Unemployed seeking	Voluntary work
<b>St. Peter the Apostle HS</b>	22.73%	29.37%	38.46%	0%	0%	3.15%	2.45%	3.85%	0%
Virtual Comparator	23.78%	32.48%	33.81%	0.31%	0.73%	4.20%	1.68%	2.55%	0.45%
WDC	25.38%	27.93%	36.19%	0%	0.10%	5.40%	2.04%	2.85%	0.10%
West Partnership	21.30%	24.18%	46.13%	0.34%	0.53%	3.73%	1.18%	2.21%	0.40%
National	25.11%	25.45%	41.27%	0.40%	0.51%	2.92%	1.54%	2.32%	0.47%

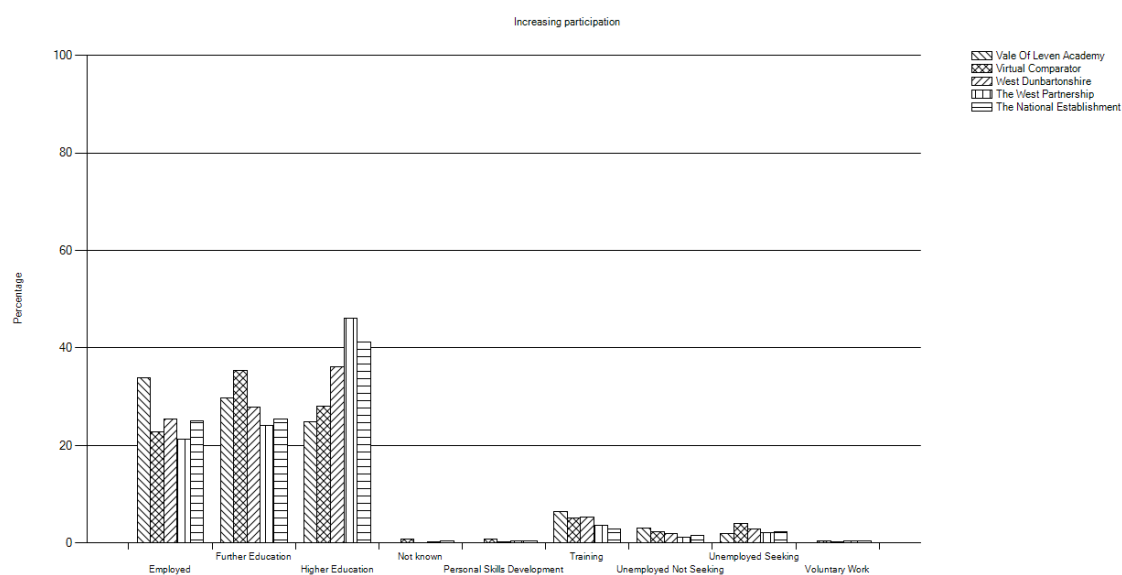
When compared with 2020/21, St Peter the Apostle High School have seen:

- Employment – an increase of 3.05 percentage points
- Further Education – an increase of 2.86 percentage points
- Higher Education – a decrease of 4.51 percentage points
- Training – an increase of 1.54 percentage points
- Unemployed not seeking – a decrease of 0.76 percentage points
- Unemployed seeking – a decrease of 2.17 percentage points

# Vale of Leven Academy



	2017/18	2018/19	2019/20	2020/21	2021/22
<b>Vale of Leven Academy</b>	92.39%	89.1%	87.97%	86.71%	95.02%
Virtual Comparator	93.1%	93.08%	90.63%	95.03%	92.99%
West Partnership	94.44%	95.22%	93.66%	95.84%	96.27%
National	94.4%	95.05%	93.36%	95.48%	95.74%



	Employment	Further Education	Higher Education	Not Known	Personal Skills Development	Training	Unemployed not seeking	Unemployed seeking	Voluntary work
<b>Vale of Leven Academy</b>	33.83%	29.85%	24.88%	0%	0%	6.47%	2.99%	1.99%	0%
Virtual Comparator	22.75%	35.42%	28.16%	0.75%	0.90%	5.22%	2.29%	3.98%	0.50%
WDC	25.38%	27.93%	36.19%	0%	0.10%	5.40%	2.04%	2.85%	0.10%
West Partnership	21.30%	24.18%	46.13%	0.34%	0.53%	3.73%	1.18%	2.21%	0.40%
National	25.11%	25.45%	41.27%	0.40%	0.51%	2.92%	1.54%	2.32%	0.47%

When compared with 2020/21, Vale of Leven Academy have seen:

- Employment – an increase of 6.08 percentage points
- Further Education – an increase of 10.2 percentage points
- Higher Education – a decrease of 10.96 percentage points
- Training – an increase of 3 percentage points
- Unemployed not seeking – a decrease of 1.06 percentage points
- Unemployed seeking – a decrease of 7.26 percentage points



**WEST DUNBARTONSHIRE COUNCIL****Report by Laura Mason, Chief Education Officer****Educational Services Committee: 21<sup>st</sup> June 2023**

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**Subject: Supporting LGBT+ pupils in Educational Settings****1. Purpose****1.1** The purpose of this report is to:

- a) inform elected members of practices supporting (Lesbian, Gay, Bisexual and Transgender ) LGBT+ children and young people and;
- b) inform elected members of the roles and responsibilities of all stakeholders in ensuring adherence to guidance.

**2. Recommendations****2.1** Members of the Educational Services Committee are asked to:

- a) note Educational Service's Guidance on supporting LGBT+ children and young people. (Appendix 1);
- b) note Educational Service's support practices contained within the guidance and
- c) note this guidance reflects the national guidance on supporting transgender young people in schools: guidance for Scottish Schools.

**3. Background**

**3.1** Educational Services Guidance on supporting LGBT+ Children and Young People was produced by a Short Life Working Group (SLWG) in 2019. The final version was delayed and amended to reflect National guidance on supporting transgender pupils published in August 2021.

**3.2** [National Guidance Supporting transgender young people in schools: guidance for Scottish schools](#) published in August 2021 aims to ensure provision of a safe, respectful and inclusive learning environment for all pupils. It is therefore appropriate that our schools have the confidence to meet the needs of **all** pupils.

**3.3** National Guidance 2021 reflects Equalities Act 2010, Getting It Right for Every Child (GIRFEC) duties as well as UNCRC principles and also <https://lgbteducation.scot/> as the national platform for supporting Local Authorities, schools and teachers.

**3.4** For a variety of reasons, some LGBT+ pupils experience higher instances of mental health issues and bullying. It is our aim that all children and young

people feel happy, safe, respected, supported and included across our learning communities.

- 3.5** LGBT+ was the term selected by our pupils on the SLWG to reference young people who have changed their gender identification/orientation.
- 3.6** Data informs us that since 2016 there has been an increasing trend of pupils who have indicated to school that they have changed names, their use of pronouns, or their gender.
- 3.7** Guidance from the Commissioner's Report and The United Nations Rights of The Child 1989 (UNRC) is clear that all children are entitled to higher standards of protection and care due to their age and vulnerability; with a right to feel safe.
- 3.8** This guidance is intended to provide a supportive and inclusive framework, within which schools can effectively work with children and parents to maintain positive relationships, behaviour and safety in schools. It has been developed in articulation with the following legislation and National/Local Authority policy: Education (Scotland) Act(s) (1980 and 2016), Standards in Scotland's Schools Act (2000) and Additional Support for Learning Acts (2004) as amended,
- 3.9** West Dunbartonshire Council is committed to the continuing professional development of all staff. This guidance ensures cognisance of challenges and support employees tell us they need; ensuring appropriate training and practice.

#### **4. Main Issues**

- 4.1** WDC will work with a range of stakeholders, to ensure positive outcomes for all Children and Young People. We ensure all of our schools and Early Learning Centers are clear about the steps they need to take to actively promote and monitor high quality learning experiences and support of all children and young people. Guidance and approaches on supporting LGBT+ is shared and clear to all staff.
- 4.2** Senior Leaders in educational settings are clear of their roles in ensuring effective monitoring and impact of strategies and supports to ensure positive outcomes and the Rights of the child. This is clarified in guidance.
- 4.3** The continuing professional development of staff is essential in ensuring children and staff are supported in dealing with and learning from challenging or distressing situations. A programme of training has been developed to ensure support of all stakeholders.
- 4.4** Consultation has taken place with a range of young people, staff, parents and partners including the Catholic Church. Feedback was mainly positive and the support and guidance welcomed. Concerns remain for some parent and staff representatives around the aspect of not disclosing name or

gender change to parents at pupil's requests. This is in line with the National Guidance.

- 4.5** The guidance is intended to support schools to work in collaboration with pupils and parents to plan supports for their child or young person, ensuring their Rights, views and needs are central to this process.
- 4.6** Next steps include: developing an easy to access virtual platform which will support staff in easy access to a range of resources and signposting, delivering a series of professional learning sessions to key staff and ensuring our children and young people know how to access appropriate signposting and help.
- 5. People Implications**
  - 5.1** There are no people implications as a result of this report; however it is essential that robust systems are in place to ensure the Rights of children and young people are upheld with appropriate staff training to do so.
- 6. Financial and Procurement Implications**
  - 6.1** All activities related to the implementation of this policy are contained within Service Budgets.
- 7. Risk Analysis**
  - 7.1** If the Council is unable to ensure appropriate support to children and young people, we will not be meeting their needs (Children and Young People Act 2014) (Equalities Act 2010).
  - 7.2** If the Council is unable to ensure safety and support for all children, young people and staff this could result in reputational damage.
- 8. Equalities Impact Assessment (EIA)**
  - 8.1** The supports and guidance enhance the quality of the service provided to all children and young people and therefore can be seen to have a positive impact in terms of the equalities.
- 9. Consultation**
  - 9.1** Legal Services and the Section 95 Officer have been consulted in relation to the content of this report.
  - 9.2** The guidance has been informed by consultation with a wide range of stakeholders: young people including those with lived experience, parents and carers, Educational Psychologists, central officers, the Catholic Church and local partners who are key in supporting LGBT+ young people in the community as well as third sector partners and teaching unions.

## 10. Strategic Assessment

**10.1** This report reflects the Council's aspiration to reduce inequalities for the people of West Dunbartonshire.

**Laura Mason**  
Chief Education Officer

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<b>Person to Contact:</b>	Claire Cusick, Senior Education Officer Services for Children and Young People e-mail: <a href="mailto:claire.cusick@west-dunbarton.gov.uk">claire.cusick@west-dunbarton.gov.uk</a>
<b>Appendices:</b>	Appendix 1 – <b>Guidance on Supporting LGBT+ Children and Young People in Educational Settings</b>
<b>Background Papers:</b>	<a href="https://www.gov.scot/publications/supporting-transgender-young-people-schools-guidance-scottish-schools/pages/1/">https://www.gov.scot/publications/supporting-transgender-young-people-schools-guidance-scottish-schools/pages/1/</a> <a href="https://lgbteducation.scot/">https://lgbteducation.scot/</a> <a href="https://respectme.org.uk/">https://respectme.org.uk/</a> Schools Equality Act (2010) Getting it Right for Every Child How Good is Our School 4 (HGIOS 4)/How Good is Our Early Learning and Childcare Children and Young People (Scotland) Act (2014) Getting it Right for Looked After Children and Young People Included, Engaged and Involved Part 2: A Positive to Preventing and Managing School Exclusions (2017) United Nations Convention on the Rights of the Child (1989) Every Child, Every Chance (2018)
<b>Wards Affected:</b>	All Wards



West Dunbartonshire Council

Educational Services

Supporting LGBT+ Young People in School

Guidance Document

Version 1 May 2023

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## 5. **Appendices**

Appendix 1: Policy & Legislation and further information

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## 1. Introduction and Purpose

This guidance aims to offer supportive and practical information to staff who work and support children and young people who may identify as LGBT+. This term includes those who identify as lesbian, gay, bisexual or transgender. Transgender is an umbrella and inclusive term that covers a wide range of gender identities as described in this document.

The guidance has been developed by the WDC LGBT+ Short Life Working Group. It is a supportive resource written by staff and for staff; aligned with National good practice. While it is expected that school Leadership and Pupil Support staff become familiar with this guidance, it is anticipated staff will be able to select and learn from sections as required. Staff are not expected to be experts and to have all the answers. What matters most is having a respectful and inclusive approach where any young person who wants to have an open conversation about their sexuality or gender identity can do so with an appropriately informed staff member.

The values underpinning the guidance align with The Rights of the Child (UNCRC) (App.1), the vision of WDC's Promoting Positive Relationships Policy and the Council's mission to place children, young people and families at the heart of services; providing support when needed throughout childhood and the transition to adulthood.

Guidance is required because:

- staff in schools regularly seek support and advice when supporting young LGBT+ people (from LGBT+ Youth Scotland and the Principal Officer Equalities);
- the casual use of homophobic insults has not lessened in recent years (anecdotal)and
- Not conforming to gender stereotypes is a healthy and normal part of growing up and should not lead to any assumptions being made that the child may be transgender, or lesbian, gay or bisexual. The distinction between 'gender non-conforming behaviour' and transgender young people is that transgender young people are likely to be 'persistent and insistent' that their gender identity does not align with their sex from birth.

### **When a young person presents with an issue associated with their sexual orientation or gender identity.**

If a young person comes out to you either about their sexual orientation or gender identity it is important not to make any assumptions or jump to conclusions. You may want to ask why they have chosen to come out to you and then be open to listen. Exploring the young person's disclosure with open questions can help them open up and also allow you to find out what they need from you. It is essential to be non-judgemental and honest about what you can and can't do. ("Do you know, to be honest I'm not too sure about that – would you like me to find out for you?"). You could be the first person they have ever told about this and having them confide in you is a huge privilege – praise their courage in talking with you. You should also be



ready to provide relevant and up-to-date information, able to signpost to organisations/ websites/resources such as LGBT+ Youth Scotland and become familiar with how they offer support to LGBT+ young people. A list of supports can be found in this document.

It is anticipated that where a child or young person presents with an issue associated with their sexual orientation or gender identity, staff will work together within the parameters of the GIRFEC refresh to ensure a consistent level of person-centred support is provided. This may include working with a range of partners. In West Dunbartonshire coordination of referrals and supports are undertaken by the Named Person. The member of staff with responsibility for equalities and inclusion may also be a good source of support.

## **Consultation**

This guidance was produced to reflect consultation with a range of stakeholders, namely: WDC pupils and staff, WDC Inclusion Ambassadors and WDC Youth Council members, young people who identify as LGBT+, parent bodies, partner organisation Y-Sort-it and the Catholic Church. This informed us of the needs to have a forum to discuss LGBT+ issues and supports in schools, to remove stigma and to improve access to appropriate supports. All WDC schools teach positive relationships respect and tolerance via the Health and Wellbeing curriculum. It's anticipated that this guidance will enhance this and provide practical support to staff working with our children and young people.

## 2. Overcoming Barriers

This section explores some common barriers to learning experienced by LGBT+ young people, and suggests how teachers and schools can be inclusive and supportive:

### **Bullying and safety**

The Scottish Government's anti-bullying strategy 'Respect for All: The National Approach to Anti-bullying for Scotland's Children and Young People (2017) provides a holistic approach to anti-bullying which makes clear that all types of bullying, including transphobic bullying, are completely unacceptable. The guidance defines bullying as: "both behaviour and impact; the impact is on a person's capacity to feel in control of themselves. This is what we term as their sense of 'agency'. Bullying takes place in the context of relationships; it is behaviour that can make people feel hurt, threatened, frightened and left out. This behaviour happens face to face and online." 'Respect for All' provides an overarching framework and context for all anti-bullying work that is undertaken in Scotland. The approach aims to build capacity, resilience and skills in young people, and all those who play a role in their lives, to prevent and deal with bullying. Teachers should be alert to the fact that LGBT+ young people face disproportionately high levels of bullying. All teachers should address and respond to bullying behaviour, including transphobic bullying.

#### Transphobic bullying

Transphobic bullying is behaviour or language which makes a young person feel unwelcome or marginalised because of perceived or actual transgender identity or transgender expression. Sometimes the bullying directed at a trans young person also includes aspects of homophobic or biphobic bullying because of confusion between gender identity and sexual orientation.

Transphobic bullying can include:

- Name calling, rumour spreading and gossip about a young person's transgender identity
- Physical attack (which may become a police matter).
- Excluding someone from conversations, activities and games
- Stealing from someone or damaging their property with homophobic, biphobic and/or transphobic graffiti
- Threatening someone or spreading rumours through texts or social media
- 'Outing' or threatening to 'out' someone to peers, teachers or family
- Gestures, looks and other non-verbal communication

- Harassment and/or intimidation
- Deliberately using the wrong name and/or pronoun.

This is different from people trying their best and making a mistake. There is a need to address the root cause of prejudice as well as effectively respond to incidents as they arise in school settings. Transphobic bullying can also be directed at someone who is not LGBT+ such as by referring to them in a derogatory manner on the basis they are perceived to be LGBT+. Some young people experience bullying:

- Because others think that they are transgender
- Because they have transgender family or friends
- Because they are seen as different or not conforming to traditional gender stereotypes. Young people who are exhibiting bullying behaviour will need help and support to:
  - Identify the feelings that cause them to act this way
  - Develop alternative ways of responding to these feelings • Understand the impact of their behaviour on other people
  - Repair relationships.

School staff need to help young people who demonstrate bullying behaviour by providing clear expectations as well as providing a range of ways to respond. This can include taking steps to repair a relationship, and where appropriate, supporting them. School staff need to challenge prejudice and offer the opportunity to learn and change behaviour.

WDC schools are expected to use the SEEMiS management information system, to record and monitor bullying incidents in schools. This enables schools to record any underlying prejudice or other negative attitudes reported in an incident of bullying, including those relating to a protected characteristic under the Equality Act 2010 (<https://www.legislation.gov.uk/ukpga/2010/15/contents> ). Therefore, schools are expected to record incidents of transphobic bullying, specifically detailing the transphobic elements. This allows accurate monitoring of incidents; how they responded and the impact.

When considering whether transphobic bullying is a hate crime, the decision will depend on the individual circumstances of any case. Where it is clear the bullying behaviour was a hate crime, it should be reported to the Police and may then be referred to the Children's Reporter. Our presumption should be against criminalising young people. Guidance on recording and monitoring bullying incidents in schools on reporting a hate crime or hate incident is that young people should feel happy, safe, respected and included in the learning environment. Consideration should be taken

on what impact actions taken will have on their and others' wellbeing. This applies to all young people involved in bullying incidents:

- Recognise that simply listening can help
- Explore with the young person the options open to them
- Take the views of young people seriously, considering what they want to happen next
- Remember to consider the privacy of young people and any legal impact of sharing information with others
- Take steps to address any underlying prejudice in the school
- Address any transphobic language used in school environments.

### **Helping young people feel safe**

All young people benefit when everyone feels safe at school. Bullying incidents should be resolved proactively, using a respectful, proportionate and holistic approach which takes account of the impact of the incident as well as any underlying prejudice or other negative attitudes. If the incident involves a staff member, this should be reported to the senior management team. School staff can help young people feel safe from transphobic bullying by ensuring that school policies and practice are supportive. Recommendations are:

- Local authority and school anti-bullying policies should specifically mention transphobic bullying and/or gender identity
- Staff, young people, parents and carers should know about anti-bullying policies and school procedures
- Teachers should educate young people about LGBT+ issues and work towards creating a culture of respect. Age appropriate resources highlighted in the resources section (App. 2)
- All incidents of discrimination, intimidation, harassment or violence should be thoroughly investigated
- Young people should be informed about the outcome of any investigation and supported to recover from the impact of bullying
- Anti-bullying approaches should be embedded within the whole-school approach to inclusion and respect for all young people.

### **Coming out**

When someone discloses their gender identity or sexual orientation this is called 'coming out'. Because there is a general assumption that people are heterosexual

and not LGBT+, those who fall into this category don't usually feel that they have to disclose this. LGBT+ people often need to 'come out' to let others know that they identify, and live their lives differently, from the general assumption. LGBT+ young people often have to choose between hiding how they feel and telling someone. If they don't know that their family, friends or teachers are 'trans-friendly', they may assume that, if they come out, people will reject them. This, along with negative media messages, means that many LGBT+ young people delay 'coming out' or speaking to someone about how they feel. LGBT+ people may come out at any age and to varying degrees: some people want to live fully as themselves in all aspects of life; others may want to come out to just a few trusted people.

It is important to understand that:

- Coming out can be a lifelong process
- Only an individual can decide when and who to tell
- Coming out is a personal choice; and people should not feel forced to 'come out' to others if they don't feel ready to do so. Some LGBT+ young people who have socially transitioned may want to be open with others about their gender history. Others treat their gender history as private, and do not disclose this to others. If a young person transitions at school, other learners and staff will most likely be aware of their gender history. Similarly, if a young person has a non-binary gender identity, being open about this will mean other young people and staff know that that young person is LGBT+. However, LGBT+ young people who join your school after transitioning may want to keep their gender history private, and this should be respected.

## **Supporting in First Steps**

When a young person approaches you to discuss their gender identity they have often taken a long time to consider who to talk to and are looking for an adult to listen and be supportive. Coming out can be beneficial for young people's wellbeing as it allows them to discuss how they feel and get the support they need at the earliest point possible. A school staff member may be the first person that a young person speaks to. Some tips for responding to a young person who talks to you about being LGBT+ or about their gender identity include:

- Don't panic: they don't expect you to be an expert
- Say 'thank you': the fact that they have trusted you enough to speak to you is a privilege
- Ask what support you can give: listen to what they say, and repeat it back to check you've understood correctly

- Don't agree to anything you're not sure of, seek further information and support for yourself and the young person if needed. The resources section in this document may help.
- Don't say 'it's just a phase' as this can diminish the importance of the issue for the young person
- Ask what name and pronoun you should use to address them. Check if that's all the time or in certain circumstances and confirm their preferred facilities.
- Ask if you can share information and with whom
- Arrange a time to meet up again, to check in and see how they are doing
- Check if there's anything else they want to talk about
- Ask how things are at home? Are their family aware that they are considering their gender identity? Are they being supported at home? If a young person comes out to you, it's also important not to deny their identity, or overly question their understanding of their gender identity. Teachers can of course ask reflective questions that allow young people to express themselves, explore their gender identity and identify their needs.

Teachers should respect a young person's wishes and use the name/pronoun they have asked to be used. If you are not sure what name/pronoun they use, ask them in private at a suitable time. It should be noted that anyone can change their name informally as long as it is not for a criminal purpose.

### **Changing name and recorded sex**

Young people can simply choose to tell others informally that they want to use a different name. They don't have to change their name on their official school record. To keep a record of this and improve consistency in staff practice, education authority schools can update the school records held in SEEMiS using the box 'Known As' which can be used to record other names a young person may use in school. Before updating their record it is important to discuss this with the young person to ensure that they would like all teachers in the school to be aware of their name change. If a young person wants the school to record the change of name and/or change of recorded sex formally, they (with their parents or carers if under 16) should write to the school to instruct this. Letter, email or any other form of written communication is sufficient. Schools do not need to ask for anything else as a name change can be made at any time in Scotland. Changing the recorded sex in SEEMiS has no effect on a young person's legal sex. A young person or their parent can also officially record their change of name at the National Records of Scotland (see below), however, they are not required to do this to give effect to an amendment to the pupil's school record. Schools should accept the written request from the young person and/or their parent or carer as sufficient to make the change to the pupil's

record. See sample text (App.5) anyone can change their name informally as long as it is not for a criminal purpose.

The SEEMiS system refers to a pupil's sex rather than gender and LGBT+ young people may have the way their sex is recorded on their SEEMiS education records changed. A change in sex recorded within the SEEMiS system is not a legal change of sex, for which it is necessary to obtain a gender recognition certificate. The term official here reflects the legal nature of the changes made.

Recognising the rights of all parents and carers, it is recommended that consent is obtained from all of those with parental responsibilities for those young people under 16. Bringing parents into this discussion at as early a point as possible would be helpful. It is often said that school records are considered a legal record. This reflects the processing of the information within the school record in line with a regulatory requirement. However, no legal steps are required for a change of name or recorded sex within a school record.

### **How to change the record within the SEEMiS system**

Once the letter has been received, the school can then change the name and sex recorded on the official administration recording system (SEEMiS) and other school files. With the correct level of SEEMiS administration access, such as the school's business manager or senior management team, the school can then update the name and recorded sex of young people. Change of name and recorded sex screen on SEEMiS in Application>Records>Edit Changing names and the sex recorded on administration systems does not affect a candidate's Scottish Candidate Number, and the national exam body does not require any documentation. The school simply needs to update the young person's candidate record: Note: At present there is no official way to record a young person's pronoun on SEEMiS, however schools can record this information in the young person's file. There is also no option for non-binary identities to be recorded. Schools can ask if the young person prefers one sex over another to be on the official record.

### **How to change details on Our Cloud & Glow**

Please contact WDC for account user name to be changed.  
[support@ourcloud.buzz](mailto:support@ourcloud.buzz).

### **Data Protection**

Data held within SEEMiS is controlled by the local authority and may be shared out with the school for legitimate education authority functions and council business such as electoral registration. All school records must be created, processed, transferred, and destroyed in line with the requirements of the Pupils' Educational Records (Scotland) Regulations 2003 (<https://www.legislation.gov.uk/ssi/2003/581/contents/made> ), and the requirements of data protection law. Although changes in recorded sex and name are not

specifically flagged to local authorities they will hold this data along with all other information on SEEMiS. Under data protection legislation schools should inform LGBT+ young people and their families that any changes made to SEEMiS will be recognised by the local authority, including for purposes such as the electoral roll – schools should not take any additional steps to share this information. The changes will appear automatically, without needing to be flagged.

### **How can a child's name be changed in law?**

Young people under 16 cannot change their own name; only those who have parental responsibility can change a young person's name. No formal procedure is required, but a statement of intention to change the name by which a child is known in the form of a statutory declaration will be accepted by most organisations as proof of the change of name. A statutory declaration is a formal statement signed in the presence of a notary public or Justice of the Peace. If the child's birth was registered in Scotland, or the child is the subject in Scotland of an entry in the Adopted Children Register, or a Parental Order, an application to change the name that appears on the child's birth certificate can be made to National Records of Scotland. Any parent with parental responsibility has to be a party to the application. Otherwise the application can be made by anyone else with parental responsibility. If there is a disagreement between those with parental responsibility as to a proposed change of name, it is possible to apply to the court for a Specific Issue Order. Here, the court would need to be persuaded that the change of name is in the child's best interests.

### **16 and 17 year olds**

Young people who are aged at least 16 can choose to change their name in the same way as adults, by changing their recorded name(s) or with a Statutory Declaration of Name Change. As noted above, there is no requirement for a formal change of name to have taken place for a change to be made within the school record system.

NB: At present there is no way to change the sex recorded on a birth certificate for those under 18 in Scotland. However, the sex recorded on their passport, medical records, educational records and other documents can be changed.

### **Addressing young people: good practice**

If you are supporting a LGBT+ young person, be led by them, checking with them what pronoun and/or name you should use and in which circumstances. This may be different depending on whether it's in public or private, and may change over time. This is part of the process of their transition. Typical pronouns are 'he' or 'she'. Some LGBT+ young people, especially those with a non- binary gender identity, are unhappy about people referring to them as 'he' or 'she', and use the gender-neutral pronoun 'they'. Other, rarer, neo-pronouns include 'zie' or 'ey' or 'per'. Using particular pronouns is an indication of someone's gender identity and should be



respected. Staff and young people should avoid 'dead naming' or 'outing' a young person. This is when someone intentionally calls a LGBT+ young person by their previous name or previous pronoun. Depending on the situation, it could be distressing for the young person, or be viewed as bullying. If someone accidentally calls a person by their previous name or pronoun, they should simply apologise and try not to do this in the future.

## **Toilets and changing rooms**

In law, toilet facilities for boys and girls must be provided in schools. Schools are also required to provide accessible facilities for young people with a disability. In recent practice, schools have been designed to also include accessible facilities which can be used by anyone who requires to use them, with a focus on accessibility of facilities for a range of reasons; recognising the needs of a variety of people including those with disabilities, and LGBT+ pupils. This reflects wider changes in society, where there is increasing provision of gender neutral facilities, and accessible toilets in public spaces. The design of gender neutral facilities should ensure privacy for all young people, this should wherever possible include features such as full length walls and doors and should take account of the particular needs of female pupils.

Paragraph 1.2643 of the Equality and Human Rights Commission's (EHRC) Technical Guidance for Schools in Scotland (<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-schools-scotland>) summarises the exceptions that apply to certain types of school.

The Technical guidance also sets out examples of what may be considered a legitimate aim within education. Therefore, there are a number of considerations to make in relation to the provision of toilets and changing rooms within schools:

- A LGBT+ young person should not be made to use the toilet or changing room of their sex assigned at birth.
- Recognise that some LGBT+ young people may not be comfortable using a single sex toilet or changing room that matches their gender identity. In which case providing a gender-neutral space or accessible toilet can be the best alternative.

If school staff are in any doubt they should seek advice from their education authority officer or from the senior management team.

## **What does evidence tell us?**

Evidence shows that young people can feel vulnerable to bullying whilst using toilets and changing rooms. Much has been done to improve the design of toilets in schools to alleviate concerns over dark and enclosed spaces which can leave young people feeling vulnerable to bullying and other behaviours. Schools should be aware that some pupils may have experienced gender-based violence. Toilets and changing

rooms can therefore be an area of school where boys, girls and LGBT+ young people feel particularly vulnerable. It is known that young people may worry about being teased or bullied and may not be comfortable getting changed in front of others, and may wish additional privacy. For LGBT+ young people these worries may be very prominent, and they may express very particular concerns about experiencing bullying or getting changed with others and may need additional privacy. Because of being uncomfortable about using school toilets, some young people including those who are LGBT+ resort to going home to use the toilet, or they may limit their fluids/drinks during the school day. Female pupils may also do this as a result of concerns about safety. This has implications for their health and wellbeing, as well as their attendance and attainment. It is therefore important that young people, where possible, are able to use the facilities they feel most comfortable with. (Footnote<sup>1</sup>)

Recommended practice includes:

- Asking the young person about the facilities that they wish to use and if they have any worries
- Respecting the young person's gender identity
- Creating a plan with the young person, outlining what can happen and when
- Planning discussions should consider:
  - ensuring appropriate arrangements are made for the provision of, and disposal of, sanitary products
  - Whether there are toilet and changing facilities available within the school which may afford extra privacy, if this is requested
  - Where facilities are limited, and if a young person needs additional privacy, whether they could access a staff facility without compromising their privacy or the privacy of staff members

If the young person needs gender neutral facilities:

- Whether accessible facilities within the school could be used
- Whether a facility which is currently single sex could be converted to a gender neutral or accessible facility, taking account of the additional privacy requirements for gender neutral facilities. It is good practice to engage with parents in decision

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<sup>1</sup> Toilets unblocked: A literature review of school toilets <https://www.cypcs.org.uk/ufiles/Toilets-LiteratureReview.pdf>

making, working closely with the young people. As a guide, it is helpful to consider whether:

- The young people's rights are being respected?
- The young people concerned are being treated with dignity and respect?
- All reasonable steps been taken to accommodate the young people's needs?
- Young people are being treated differently from their peers and they are experiencing disadvantage as a result, could this be unlawful discrimination?

### **Safety concerns**

When considering safety concerns for all young people including LGBT+ young people, it is important to assess why a young person feels unsafe and whether this is as a result of any inappropriate behaviours. It is common practice to carry-out risk assessment for any safety concerns; where possible risk assessments should be measurable and based on evidence of risk and understanding of pupils, their needs and the local provision of facilities.

If a young person feels unsafe steps should be taken to discuss their concerns and outline the specific steps being taken, to ensure the safety of all young people concerned, this may include specific plans to support a young person in school. All responses to complaints should be reasonable and proportionate.

### **Good practice**

- If young people, or their parents/carers, express concerns about sharing toilets or changing rooms with a LGBT+ young person, it may be because they are concerned that the LGBT+ young person may behave inappropriately. In this instance, schools should seek to dispel any misconceptions: a LGBT+ young person's presence does not constitute inappropriate behaviour.
- If a young person feels uncomfortable for any reason the school should listen to their concerns carefully and identify if additional support is needed.
- If a young person raises a concern regarding sharing facilities with a LGBT+ young person and it is established that they will experience disadvantage as a result, then the school should seek to respect the rights of all. To do this the school should seek to come to an arrangement, to accommodate everyone involved, after discussion and consideration of options available.
- If using existing facilities for disabled pupils to provide a gender neutral option for a LGBT+ young person, ensure this continues to be accessible for disabled pupils with clear signage and/or identifying it as an 'Accessible Toilet' for all.

### **School uniform**

Most schools have a uniform policy or code. However, forcing LGBT+ young people to wear clothes which do not match their gender identity can be distressing for them, and may constitute discrimination under the Equality Act 2010. If your school has a uniform, the school uniform policy should include a range of options to accommodate the needs of girls and boys and these should also accommodate the needs of LGBT+ young people through gender-neutral options;

This approach should allow all young people to wear the school uniform they feel most comfortable in. Schools should not exclude LGBT+ young people because of how they dress, unless it breaches health and safety regulations.

### **Social dancing**

Many schools hold ceilidhs, proms and school discos, and include partnered dance in their curriculum. This can be a much-enjoyed part of school life and schools should not be discouraged from teaching dance and social dancing. However, schools should be aware of the traditionally gendered aspects of dances and should look for ways to ensure that this doesn't exclude LGBT+ young people. Schools can be inclusive of all young people by:

- ensuring there are no restrictions on who young people can dance with
- allowing young people to wear what feels comfortable to them.

### **PE and School Sport**

Some LGBT+ young people find PE classes very difficult because they are concerned about not having their gender identity accepted, or about their physical appearance. Teachers should consider any request for different approaches sensitively. At its core, physical education is about developing the foundations for an active life and is an important aspect of improving young people's health and wellbeing. Young people can learn about teamwork, fair play and respect for others. Steps should be taken to ensure that LGBT+ young people can participate in physical education.

### **We recommend:**

- If PE classes are organised by sex, a LGBT+ young person should be allowed to take part within the group which matches their gender identity. For a non- binary young person, ask them which group they would feel most comfortable being with.
- That any school competition should take account of the age and stage of development of the participants and follow National/Governing Body Guidance in relation to a specific activity.
- For inter-school competitions, the same approaches to ensure fairness and safety should apply. It may be helpful to a young person if you speak to the equivalent staff

in the other school(s) to let them know there is a LGBT+ young person in your team/competition, but only with the young person's consent.

### **Clothing Good practice in PE, sport and related clothing includes:**

- allowing LGBT+ young people to wear sportswear which matches their expressed gender identity
- for swimming, skirted swimsuits, baggy shorts, lycra surfing tops or short wetsuits are alternatives for LGBT+ young people (similar to modest swimwear worn by young people from some faith groups).

A transgender boy or non-binary young person who has developed unwanted breasts might bind their chest to flatten it, so they might need to wear a loose-fitting shirt. The Equality Act includes a specific exception in section 195(2) in relation to LGBT+ people participating as competitors in a gender-affected sport. Binders can lead to shortness of breath, can be painful during physical exertion and there are health risks associated with wearing binders that are too tight. Binders can, however, have a positive impact on a young person's mental health so staff should allow a young person to decide for themselves about whether or not to wear a binder, to help them join in. Some LGBT+ young people may be willing to wear a looser binder than usual during PE.

### **Mental Health & Wellbeing**

Prevention and early intervention are key to reducing the risk of developing mental health problems and in providing a positive future for our young people. All staff in schools share a responsibility for supporting the care and wellbeing needs of young people and schools should establish open, positive, supporting relationships where young people feel that they're listened to, and feel secure in their ability to discuss challenges as they arise.

### **Day/ Residential trips and other activities**

School activities should be inclusive for all and planning should consider the needs of LGBT+ young people. School day trips are not likely to require any specific arrangement unless a LGBT+ young person wishes to use a single-cubicle toilet. You may need to contact the venue to ensure there will be a toilet accessible for LGBT+ young people. Specific considerations will be required for residential trips, as young people are in closer quarters than usual. Talking about respect for boundaries, privacy and shared living space will help all young people, including LGBT+ young people. For certain residential accommodation it is possible under exceptions provided by the Equality Act to treat a LGBT+ young person differently in the provision of single-sex communal accommodation if this is a proportionate means of achieving a legitimate aim. This means that schools are not required to place a LGBT+ young person in a dormitory that aligns with their gender identity if this treatment of them is a proportionate means of achieving a legitimate aim. This

will require careful consideration. Schools should take time to consider the needs of LGBT+ young people and support them to engage fully in all aspects of the residential trip. The following good practice points will assist in this.

### **Good practice for planning a trip**

- Investigate the ethos and practice of the venue beforehand. If you have any concerns, contact the venue to discuss these in general terms, particularly safety and respect country law.
- It is usual for there to be significant engagement with young people and their families as part of preparing for a residential trip. This can include the allocation of rooms and sharing arrangements. As part of these discussions, appropriate account should be taken of the wishes, rights and needs of all young people, including those who are LGBT+, this is in line with many other considerations in preparation for a school trip.
- If a LGBT+ young person wants to share a room with other young people who share their gender identity, they should be able to do so, as long as the rights of all those involved are considered and respected.
- If any young person, including a LGBT+ young person, is concerned about sharing a room with others, you could consider making alternative arrangements, including giving them their own room where appropriate. Risk assessments to be carried out ensuring appropriate inclusivity based on actual risk balanced with the venues protocols.
- If any young person voices a concern, this should be considered - responses should be reasonable and proportionate, taking into account the rights of all young people.
- If showers are communal, find out if there are single-cubicle or private washing facilities which could be used by any young person, including a LGBT+ young person, who would like greater privacy.
- You could work out a rota so that everyone can wash in private if they want to. Many young people, including female and LGBT+ young people, are unhappy to use communal showers.
- If considering sharing information with others, as part of planning, you should seek the young person's permission before hand.

### 3. Support for LGBT+ young people

This section includes advice on how best to support an individual young person in school, and covers some common concerns such as confidentiality and working with parents and carers:

- Getting it Right for Every Child
- Confidentiality, information sharing and child protection
- Working with parents, carers and families
- How teachers can help LGBT+ young people and their family relationships
- Support and referrals for LGBT+ young people

#### **Getting it Right for Every Child**

As part of the Getting it right for every child approach, every child, young person and parent has a named person who can provide initial advice, information and support where requested, as well as access to wider support. The named person will usually be the Head teacher or deputy head teacher in primary schools or a promoted or principal teacher involved in personal support in secondary schools. The named person can consider the wellbeing needs of the child or young person and can discuss the provision of support to address any needs, including support for LGBT+ pupils. Where needs are identified across a range of services, there should be a child's plan where beneficial. The named person can arrange a lead professional to be responsible for co-ordinating and reviewing a child's plan.

Any consideration of wellbeing should be holistic and based on the child or young person's family and unique circumstances. This includes recognising their strengths and understanding factors that affect their resilience. This approach is supported through the National Practice Model and a range of tools which enable school staff to use a common language and approach with each other and with children, young people and parents.

While the aim of a named person is that there is someone there for every child, young person or parent if needed, there is no obligation to use the named person for support if a child, young person or parent would prefer to access information and support through another person or service.

The Education (Additional Support for Learning) (Scotland) Act 2004 (<https://www.legislation.gov.uk/asp/2006/8/contents>) requires education authorities to identify, provide for and to review the additional support needs of their pupils. An additional support need is caused by a barrier to their learning and can be of short or long-term duration. As part of the Getting it Right for Every Child approach schools should consider the support that may be required in order to overcome any barrier to their learning. Further information on additional support for learning is available.

## Confidentiality, information sharing and child protection

“I came out to one of my teachers and they told my guidance teacher that I'm Trans even though I really didn't want them to. I wasn't ready.” – Trans young person

Confidentiality and privacy is important to LGBT+ young people. They can worry about people disclosing information about their gender identity to others, and/or about professionals taking action which they have not agreed to.

National Child protection guidelines (see following link <https://www.gov.scot/publications/national-guidance-child-protection-scotland>) require agencies and professionals, including teachers to follow particular procedures for confidentiality and information sharing. But, being LGBT+ is not a child protection issue in itself. If there is a child protection issue, this should be specified and the school's child protection guidelines followed.

### Good practice in information sharing

- It is important to respect a young person's right to privacy.
- Being LGBT+ is not a child protection issue or wellbeing concern in itself.
- Young people should be involved in all decisions affecting them and understand what is happening and why.
- If a young person wishes to 'come out' in a school setting, information may need to be shared. Teachers should consider who to tell and how; taking into account the young person's view and legal requirements on this.
- An LGBT+ young person may not have told their family about their gender identity. Inadvertent disclosure could cause needless stress for the young person or could put them at risk and breach legal requirements. Therefore, it is best to not share information with parents or carers without considering and respecting the young person's views and rights.
- An LGBT+ young person may wish to change schools as part of their transition process. Their previous name does not need to be shared with the new school. While it may be necessary for SLT and Pastoral/Support to be aware it's not necessary for all staff in a receiving school to know that the young person is LGBT+. Please see pages 23 & 30
- Young people find it increasingly difficult to maintain their privacy. Teachers may need to support young people if personal information becomes common knowledge through social media or online forums.
- If a young person decides to share their gender identity within their school community, there should be a mutually agreed plan on how this could be managed



may be required. You may want to consider the age/stage of the young person when developing this plan and their individual circumstances.

“My teacher worked with me on an email which was sent to all staff to let them know about my true name and gender. There were really positive responses to this which were shared with me and made me feel good.” – Trans young person

A young person with capacity can exercise rights and give consent to information being shared about them in their own right. Please see section on page 23 & 30 about Age of Legal Capacity

If a teacher is concerned about the safety of a young person, they should follow the school's procedures for recording and/or acting on such concerns

Please see information on page 23 & 30 for information on legal capacity and decision making

See information on page 23 & 30 for additional information on Data Protection Law

### **Working with parents, carers and families**

“I had to run away from my parents because they were not happy about who I am. Teachers should know that while parents should respect their child's gender identity, they don't always do so.” – Trans young person

The UNCRC explicitly recognises the central role played by parents and families in ensuring that children grow up healthy, happy and safe. It states that: “the family, as the fundamental group in society and the natural environment for the growth and wellbeing of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community”

And goes on to recognise: “that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding”

Evidence shows that young people who have parents who are supportive of their LGBT+ identity are more likely to have good mental health, including improved self-esteem and reduced rates of depression footnote. <sup>2</sup>

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<sup>2</sup> Travers R. et al. (2012) 'Impacts of Strong Parental Support for Trans Youth' A report prepared for Children's Aid Society of Toronto and Delisle Youth Services. Canada: Trans Pulse. <http://transpulseproject.ca/wp-content/uploads/2012/10/Impacts-of-Strong-Parental-Support-for-Trans-Youth-vFINAL.pdf>

Responses to a LGBT+ young person coming out can vary but the majority of parents and carers will want to do what is in the best interests of their child. Of course, some parents and carers may have very legitimate questions about what it means and what will happen next. Others may react negatively because they have inaccurate or incomplete information, or because they are worried about what it will mean for their child and their future. Such reactions often stem from loving and wanting to protect their child. Parents and carers may have different views from the LGBT+ young person. If this is the case SLT/Named Person and support staff can assist by creating opportunities for young people to have their views heard and by developing a support plan for the LGBT+ young person in the first instance.

Parents and carers may also need additional support to discuss their feelings.

Whatever the home situation, schools should continue to keep the young person involved in decisions which affect them. This could mean giving the young person the opportunity to voice opinions which differ from their parents and carers. The siblings of LGBT+ young people may also require additional support. (Please note the siblings could be in other schools). They may need space and time to process what is happening, or may be at risk of experiencing bullying from peers. Allowing them an opportunity to talk, and reassuring them that the school is committed to their wellbeing, can be beneficial.

### **How teachers can help LGBT+ young people and their family relationships**

School staff, including teachers can help by:

- working with young people to agree what they need from their parents/carers
- speaking on behalf of a young person who cannot tell their parents/carers what they need
- providing support or referrals for support to alleviate any distress in the home
- providing a safe space for LGBT+ young people to be themselves and have their identities respected

Schools have a welfare responsibility towards young people, and may have to support the young person if decisions need to be made about a young person's wellbeing. Teachers should always provide impartial information and guidance which prioritises a young person's wellbeing.

It is important to recognise the contribution parents/carers can make, and to find solutions by working collaboratively with young people.

## **4. Good Practice**

- If the young person has not told their family, pupil support staff may want to discuss the most likely reaction with the young person. This will allow the member of staff and the young person to discuss whether sharing information is in the young person's best interests at this time, and if so, what information to share and with whom.
- Offer to arrange a meeting with parents or carers; agree this with the young person in advance of the meeting and mutually agree key information to be shared in the discussion and by whom.
- Listen to the concerns of parents and carers without judging them; respond to concerns calmly; and correct any misconceptions.
- The Getting it right for every child approach will keep the young person and parents at the centre of any consideration of wellbeing; and, the identification and agreement of responses and support. Parents and carers may need time to come to terms with what their child has told them. Pupil support staff can help by letting them know about sources of information and support (see appendix).

### **Support and referrals for LGBT+ young people, their parents and carers**

All young people & parents should know where they can go and who they can speak to if they need support. (See appendix 2)

### **Supporting LGBT+ young people at school: steps for good practice**

Put the young person at the centre and keep them there:

- Allow them to talk about how they are feeling, and thank them for their courage in coming to see you
- If you don't know the answer to something, explain that, and offer to find out more information
- Let them know that you will not share their information with anyone unless they give their permission or there is a risk to themselves or others
- Find out the young person's views before sharing information with others, where possible, seek permission and/or inform them of what will be shared and why
- Ask them if they are getting support elsewhere
- Check whether or not the young person is being bullied or feels safe in school
- Ask the young person how they would like you and the school to support them
- Ask the young person if they plan to transition at school and if they would allow the school some time to prepare (if necessary)

- Set a date to meet again.

### **Consider information sharing carefully:**

- Do not disclose the transgender identity history or any sensitive information about a transgender young person to anyone inside or outside the school, without considering the young person's view and what is in the best interests of the young person
- Find out the young person's views before sharing information with others, where possible, seek permission and/or inform them of what will be shared and why
- You can, however, discuss situations in general terms with a colleague or a member of the leadership team, ensuring that you do not share personal information or 'out' the young person unintentionally
- If you have a child protection or wellbeing concern, let the young person know that you will need to follow procedures, and share information with the relevant staff or agency.

### **Get advice and support (if required):**

- Speak to a colleague or a member of the senior management team for advice and guidance. They may have experience of supporting transgender young people or have a school policy to guide practice
- Contact a specialist service which can provide additional support for the young person, for example groups and on-line support, or training for staff.

There are certain circumstances, for example sharing information with other agencies where you are required to seek the young person's consent prior to sharing their information.

- Contact your local authority education officer and/or equality officer or member of the senior management team. They may provide practical guidance and support, or information about the law and school responsibilities.

### **Support meetings:**

- With the young person's permission, arrange a meeting to plan how the school can reduce any barriers to learning and (if required) support their transition. This could include a plan with goals and clear timescales
- Arrange a meeting with parents/carers, and/or outside agencies as required; if the young person is happy for this to take place
- If they are under 16 and there is a clear wellbeing concern, follow your school procedures and arrange relevant meetings as required
- Let the young person know who will attend any meeting, what will be discussed or if possible, support them to attend.

### **Keep in touch with the young person:**

- Make sure the young person knows how the school will support them and, if they are transitioning at school, that the young person is happy with the plans
- Check in regularly with the young person to offer support.

## **A whole-school approach**

This section considers a whole-school approach to supporting LGBT+ young people and creating a LGBT+-inclusive environment.

Whatever a school chooses to do, it should make it clear to young people, staff and the wider learning community that it is an inclusive environment for everyone, including LGBT+ people.

## **Staff learning and confidence**

School staff have a key role in creating an inclusive learning environment. No one expects all staff to be experts in LGBT+ inclusion. However, all staff are expected to actively ensure that all young people including those who are LGBT+ are accepted, respected and supported. GTC Scotland guidelines specify that all teachers should treat all young people with respect, and provide the best learning environment they can.

Many teachers have already received training in LGBT+ inclusion supporting LGBT+ young people across the country. Details of the support which organisations can provide to individual schools on supporting LGBT+ young people and LGBT+ awareness and inclusion is provided in the Additional Resources section. It may also be useful to ask the local authority to provide joint training for all schools in the area.

Policies and procedures – you may find the WDC I platform useful – <https://intranet.west-dunbarton.gov.uk/people-technology/organisational-development-change-digital/learning-development/i-learn/> this will feature in the pupil support forums as we try to embed the updated guidance.

## **Equality policy**

An equality policy is useful both for framing your school's approach to inclusion and for sending a clear message to staff and young people that your organisation is LGBT+ inclusive. A template can be found in Appendix 4.

## **Anti-bullying policy**

An anti-bullying policy demonstrates that your school has taken steps to prevent and address bullying and harassment. The policy supports young people and the wider community to feel safer in school environments, and provide guidance for schools staff on how to deal with incidents. For more information go to PP10.6 Promoting Positive relationships and reducing bullying behaviour. <https://intranet.west-dunbarton.gov.uk/media/10095/pp106-promoting-positive-relationships-and->

An anti-bullying policy should:

- Reflect the key messages outlined in 'Respect for All' Scotland's National Approach to

#### Anti-Bullying

- Include specific content on prejudiced-based bullying (including transphobic bullying)
- Identify procedures to respond to homophobic, biphobic and transphobic bullying.

Scotland's anti-bullying service, respectme, works with adults involved in the lives of young people to give them skills and confidence to support young people who are bullied and those who bully others. It provides practical support for schools and local authorities, including free training:

For more information on bullying go to page 5

#### **Environment: trans-inclusion and visibility**

Research shows that LGBT+ young people would feel safer and more supported in education if their identities were reflected in the life of the school. Understanding equalities and diversity is also important for all learners, allowing them to appreciate and respect the diverse range of people whom they will meet and interact with in their lives.

#### **Education – A Whole School Approach**

Scotland's Curriculum for Excellence is based on a set of core values, including that the curriculum must be inclusive, must be a stimulus for personal achievement and must, through broadening of experience, be an encouragement towards informed and responsible citizenship

A pro-active approach is important in supporting LGBT+ children and young people and in challenging gender stereotypes.

Schools need to be pro-active in this, rather than waiting for a child or young person expressing LGBT+ needs to come forward for support.

This is important because:

- schools are highly likely to encounter LGBT+ pupils
- children and young people expressing LGBT+ are more likely to come forward for support if their school is openly supportive and operates a culture of inclusion
- children and young people may have parents, family and friends who are expressing LGBT+
- school staff may be expressing LGBT+

- schools are part of a wider community of which children and young people are a part. That wider community includes LGBT+ people. Gender and socialisation are learned and therefore can be unlearned. Society can and does change over time. Within school, we have an opportunity to challenge the typical gender stereotypes and reinforce the message that we are all individual and equal.

## **Campaigns to eliminate offensive language**

In the spirit of advancing emotional literacy in all children's services, staff might plan an all-day or part-week campaign to actively eliminate the use of offensive language as it happens. This would work well as part of a wider focus to increase understanding, empathy and good relationships. It need not be confined to homophobic language and could include racist insults and words that are particularly hurtful to people with disabilities, e.g. Stonewall 'No Bystanders' campaign.

## **LGBT+ Groups / Equalities & Diversity Groups**

Schools may support students who wish to organise and join a peer led LGBT+ group / Equalities group. This should be accessible to all students, including those with additional supports needs, learning disability or physical disability.

Out-with School, LGBT+ Youth Scotland have their own youth group operating in Glasgow and Y Sort it have local youth group(s)

## **The Curriculum**

All practitioners have a responsibility to develop and reinforce skills in health and wellbeing across learning – Responsibility of All.

The opportunity to learn about gender and stereotypes is embedded within Curriculum for Excellence Health & Wellbeing, particularly within Relationships, Sexual Health and Parenthood Education or Relationships and Moral education in denominational establishments. It is recognised that religious authorities with a role in denominational education provide guidance on what should be taught on this subject. (Conduct of Relationships, Sexual Health and Parenthood in Schools, Scottish Government, 2014). Denominational Schools should follow curriculum guidelines as laid out by the Bishops' Conference of Scotland through the Scottish Catholic Education Service, and operate in keeping with A Charter for Catholic Schools in Scotland. <https://sces.org.uk/charter-for-catholic-schools/>

RSHP Education offers children and young people the opportunity to explore a range of contexts and themes relating to LGBT+, through the development of a range of experiences and outcomes (see information below)

The WDC Progression Pathway has been designed to support teachers and learners to understand the key skills and knowledge across the levels in the health and wellbeing curriculum, including RSHPE.

The 'Learning journey: Embedding Equality; LGBT+ positive relationships' from Education Scotland provides opportunities for cross curricular approaches to reflect on and extend learning.

<https://education.gov.scot/improvement/learning-resources/embedding-equality-learning-journey-LGBT+-positive-relationships/>

The Learning journey focuses on building positive relationships that are inclusive of all. It reflects on the development of equal rights for LGBT+ people and aims to address homophobic, biphobic and transphobic bullying.

During the Senior Phase of the curriculum model, pupils will participate in Relationships, Sexual Health and Parenthood Education. This element of the curriculum covers a range of topics relating to LGBT+ relationships and prejudice/discrimination of those who identify as being LGBT+.

<b>Early Years and Primary School</b>	<b>Secondary School</b>
I recognise that we have similarities and differences but are all unique <b>HWB 0-47A/HWB 1-47A</b>	I understand my own body's uniqueness, my developing sexuality, and that of others. <b>HWB 3-47a/HWB 4-47a</b>
I am learning what I can do to look after my body and who can help me <b>HWB 0-48A/HWB1-48A</b>	Using what I have learned I am able to make informed decisions and choices that promote and protect my own and others' sexual health and wellbeing. <b>HWB 3-47b/HWB 4-47b</b>
I understand that a wide range of different types of friendships and relationships exist <b>HWB 2-44A</b>	I know how to access services, information and support if my sexual health and wellbeing is at risk. I am aware of my rights in relation to sexual health including my right to confidentiality, and my responsibilities, including those under the law. <b>HWB 3-48a/HWB 4-48a</b>
I recognise how my body changes can affect how I feel about myself and how I behave <b>HWB 2-47A</b>	I know where to get support and help with situations involving abuse and I understand that there are laws which protect me from different kinds of abuse. <b>HWB 3-49b/HWB 4-49b</b>

### **WDC HWB Pathway**

<https://sites.google.com/ourcloud.buzz/healthandwellbeing/progression-pathway?authuser=0>

### **Learning & Careers**

#### **Work Experience and Volunteering Opportunities**

West Dunbartonshire Council have developed strong approaches to work placements and volunteering opportunities as a means of developing the employability skills of young people. Often these opportunities are provided through



links with local businesses in surrounding communities and/or local charities or voluntary organisations. As the placing service, we have a duty of care to ensure that the receiving organisation is a safe, welcoming and learning-focused environment for the young person. This may require a risk assessment to be completed in order to ensure that the LGBT+ young person will not be subject to any undue risks or discriminatory practice and that the new working environment meets the standards of this guidance. Any discussions with potential placement providers are subject to the young person's right to privacy and therefore personal details such as sexual orientation or gender identity should never be disclosed.

A discussion with the LGBT+ young person and (if appropriate and with their permission) their family should be held in order to identify suitable placement opportunities as well as some of the concern areas that the young person may have and the support that will be available to help overcome these.

### **Privacy & Respect**

#### **Confidentiality and Information Sharing**

Being lesbian, gay, bisexual or transgender are not in themselves a child protection concern and therefore information about the young person should not be shared with others. Doing so may put them at risk amongst their peers, in their home or force them to 'come out' to others before they are ready to do so.

Staff should never disclose the names of young people they know to be undergoing transition to other staff or students unless they have been given permission to do so.

Staff should be clear with the young person that they may need to discuss the matter with their SLT/Pupil Support Team as appropriate in which case consent of the young person should be sought.

Although it is important to understand these specific confidentiality concerns for LGBT+ young people, standard policies and procedures around child protection still apply whenever a young person appears to be at risk, regardless of their sexual orientation or gender identity. In these cases it should be reinforced to the young person that it is the child protection issue that is leading you to follow Child Protection protocols and not their sexual orientation or gender identity.

### **Families & Additional Support Needs**

Almost all parents and carers feel that they need help and advice to fully support their child/ young person expressing gender variance. Parent, carers and schools can learn from each other how best to communicate/teach/support the young person and together they can challenge stereotypes, prejudices and inappropriate behaviours. This prevents mixed messages from home/schools/other professionals that may cause confusion.

Whilst parental involvement and support can be vital in supporting a young person expressing gender variance, not every parent/carer will be immediately understanding or accepting of their gender variant child.

Other parents/carers can be openly hostile. It is important that if a child or young person does not want their parents to know, the school must respect their wishes. Breaking confidentiality to inform parents may put the young person at risk in their own home or force them to 'come out' to others before they are ready to do so.

If, the young person's wish to be known by a different name is not supported by the parents/carers, then the best interests of the child or young person should be the guiding principle and any risk to their health and wellbeing taken into account during any consideration about not implementing their wishes.

If queries are raised by local press agencies these should be passed to the Council's Communications Team and no direct statements should be issued by any staff member.

### **Transition Arrangements from One School to Another**

The management of a move between schools needs consideration and good communication. Robust recording in SEEMiS Latest Pastoral Notes is vital as is the maintenance of the child's electronic chronology. The rights, thoughts, concerns and wishes of the young Gender Variant person and their family or carers need to be established and considered at the earliest opportunity. It is important to note in SEEMiS the knowledge of the parent/carer status whether or not they are aware of their child's gender identity change. It would be good practice to have key contact at each school.

### **Staff Training & Support - Social Justice**

Across the authority, a number of young people in our schools have had the courage to seek help from school staff with regards to their LGBT+ identity.

As a practitioner, it is necessary to reflect on personal values and attitude towards LGBT+ which can be informed by a range of factors including experiences and /or religious background. By considering personally held values, attitudes and behaviours, it is possible to ensure that these do not impact or affect the support and guidance and young people.

Where a practitioner is concerned about how to support any young person, they should contact the Pupil Support Coordinator in their establishment for further advice, guidance and signposting.

Any concerns are supported and recorded using the WDC GIRFEC procedures with guidance sought from local authority via the school's link Education Officer.

The Scottish Government expects that any concerns are dealt with in an appropriate manner by the local authority, whereby teachers are made aware of the relevant sections from the General Teacher Council for Scotland's Code of Professionalism and Conduct, in particular Part 5 on Equality & Diversity. Where teachers raise religious or belief concerns about supporting LGBT+ young people, local authorities may wish to take account of the guidance issued by the Equality and Human Rights Commission on religion or belief in the workplace at:

<https://www.equalityhumanrights.com/en/religion-or-belief-workplace>

The Scottish Government expects all local authorities to consider objections which teachers have.

Where staff are struggling with concerns and practice this can be dealt with by providing appropriate training and awareness raising.

The Experiences and Outcomes in the curriculum are designed to allow teachers the flexibility to include different contexts and themes based on what their learners need to know, that is age and stage appropriate. It may be helpful to share this information with parents and carers. As transgender identities become more common place you may find the following links useful -

<https://respectme.org.uk>

“Talking about transgender people’s experiences so that the topic becomes more normalised and better understood, so that people have more awareness. Young people need to know more about what gay and transgender mean. They should be hearing about transgender lives and experiences.”

It is important the curriculum reflects that, and enables learners the opportunities to explore this topic.

In 2017, Education Scotland published guidelines on what it expects to be covered through Health and Wellbeing. It notes that learners working in second level and above should be able to 'demonstrate an understanding of diversity in sexuality and gender identity'.

Additionally, young people notice the things that schools don't mention excluding LGBT+ voices, identities and topics in schools, even unintentionally, when young people already know about them, can send out a negative message.

The best approach is to ensure LGBT+ identities and experiences are explicit within subject- specific experiences and outcomes.

## **Posters and displays**

Transgender identities should be included alongside other identities in classroom/school displays. This is to ensure transgender young people feel respected and included in their learning environment, examples are provided below.

Schools could also harness their young people's creativity, and ask them to design posters to show that:

- The school has an inclusive approach to people of all gender identities;
- Everyone is treated with respect, and
- The school will challenge gender stereotypes

<https://education.gov.scot/improvement/learning-resources/curriculum-for-excellence-benchmarks/>

Education Scotland has developed age and stage appropriate guidance on Improving gender balance and equalities 3-18.

Had I known more about trans identities I would have been more comfortable around trans people who I met both in and out of school.” – Young person

### **Role models**

As long as they are suitable role models for young people, highlighting prominent role models including LGBT+ people as part of age and stage appropriate learning can be helpful for LGBT+ young people. Some transgender examples are:

- Aydian Dowling – fitness instructor and trans man. Finalist in the US Men's Health Ultimate Man contest and featured in Men's Health magazine
- Lana Wachowski and Lilly Wachowski – film-makers. Both siblings are trans women
- Jin Xing – Chinese ballerina, contemporary dancer and trans woman
- Rachael Padman – stellar evolution (formation of stars) and trans woman
- CN Lester – classical musician and non-binary person
- Juno Dawson – author (young people's fiction and non-fiction) and trans woman

The focus on these individuals should be in relation to their contribution to their field, as a stimulus for lessons. In the same way that teachers no longer talk about 'lady scientists', 'trans scientist' is not appropriate. However, if teachers explain at the end of the lesson that a particular professional is transgender, it has a normalising effect and demonstrates inclusion.

Resources produced by Time for Inclusive Education include Icons: Who Made LGBT+ History Moments: That Shaped LGBT+ History and may support the approach outlined above.

## **Responding to concerns**

When dealing with concerns, whether from young people, parents or staff, the most effective approach is to communicate a consistent and accurate message. Their concerns may be based on misconceptions or misinformation, and it may be possible to reassure them.

- **School staff concerns:** If school staff raise concerns about an inclusive approach, the management team should make it clear that, the school has obligations to support all young people, and has a duty of care to ensure the safety, health and wellbeing of all young people, including LGBT+ young people. If a teacher wants to know more about their professional responsibilities, their union, the GTCS or, where applicable, the local authority can provide this.
- **Parent and carer concerns:** Parents' and carers' concerns should of course be taken seriously. If parents or carers of another young person at the school raise a concern, it can be helpful to meet with them to discuss this further. In general, the school's response should be framed in the context of equality for all young people, while being mindful of the school's confidentiality policy. See more information on Confidentiality and Information sharing on pages 19 & 23. There is legislation on personal data and sharing information. More Information on Data Protection Law is in Appendix 1.

Next steps can include:

- Take time to listen to their concerns
- Explain that school has an inclusive ethos and is committed to equality and inclusion
- Address any misconceptions they may have
- Identify whether any additional arrangements or actions are needed to meet the needs of all young people.

Whatever a school chooses to do, it should make it clear to young people, staff and the wider learning community that it is an inclusive environment for everyone, including LGBT+ young people and other young people, where all are respected. If an issue is raised, it is important to respect the rights of all young people, including LGBT+ pupils and others, while ensuring that all legal requirements are met. If the decision is that the rights of a young person, or a group of young people, should be restricted (i.e. they are asked to use a separate facility) that decision can only be

made where the legal requirements are met. It is always preferable to seek mutual agreement from those involved to all arrangements.

## **Involving young people**

One of the best ways to encourage inclusion is to involve young people directly and support their engagement and participation, in a way that suits the young person. It is an opportunity for them to learn and gain support; it allows them to influence the school culture; and helps the school make the right changes and improvements for their school community. Their involvement and participation needs to be relevant and focused. Some methods which schools in Scotland have used include:

- inviting young people to participate in or lead working groups on equality and inclusion
- conducting learner-voice surveys to capture young people's views about how well the school supports LGBT+ inclusion, identify young people's experiences and allow the schools to identify success and improvements These should be anonymous.
- setting up an LGBT+ and allies group, 'Gender Identity and Sexual Orientation Alliance' (GSA), or similar, in school to create a safe space for LGBT+ young people, their friends and anyone questioning their sexual orientation and/or gender identity. The group may also be interested in leading and developing initiatives which support an inclusive ethos. School staff may wish to support young people with this. Many schools in Scotland run extra-curricular groups to include and support young people with sexual orientation and/or gender identity.

## **Involving parents and carers**

The Scottish Schools (Parental Involvement) Act 2006 (<https://www.legislation.gov.uk/asp/2006/8/contents> ) provides the legal framework for the formal involvement of parents and carers in the life and work of the school and their engagement in their children's learning. The Act is about improving parents' involvement in all aspects of school life as well as their engagement in their own child's education and in schools more generally. Parental involvement is about parents and teachers working together in partnership to help young people become more confident learners. All the evidence shows when parents, carers and other family members are effectively involved in their children's education, the outcome for their children is better. Communication between parents and carers, school staff and young people – based on positive, honest and constructive relationships are essential to supporting young people and their learning, in dealing constructively with challenges arising, and matters related to young peoples' relationships with others, the young people's identity, or potentially changing identity. It is important to recognise that some parents may be separated but should be involved in their child's learning unless there are specific and already established reasons why this should not be the case. In the circumstances where parents are separated schools should:

- use their already established methods for ensuring communication and engagement with both parents

• recognise that parental separation may complicate matters for the young person and the school, and make appropriate arrangements to continue to engage parents and the young person. Strong relationships with parents will support positive engagement.

## **Language and terminology**

In this section:

This Act applies to education authority schools. Independent and grant-aided special schools will have their own arrangements for the engagement of parents and carers.

“I was in S6 when I was introduced to a teacher who was helpful, very kind and I started talking to him and he opened up an LGBT+ lunch thing where I could go and be who I wanted to be.” –Trans young person

## **Why language is important**

Ensuring that language is respectful and inclusive is central to equality and anti-discriminatory practice. When a teacher uses the correct language, it raises awareness amongst young people, and is reassuring. This section sets out some of the concepts and language used in this guidance. Many people will be unfamiliar with these terms and concepts. This is understandable, and teachers are not expected to be experts in this language. Key points to remember:

- It's always best to check with young people about the words they use and feel comfortable about
- Language is constantly evolving, and terms that might seem unfamiliar at first become commonplace (see appendix 1 for further terms)
- If anyone, whether teacher, young person, parent or carer, does not understand a particular word or underlying concept, it is fine to ask.

## **Some common terms and underlying concepts**

'Gender stereotypes' – despite some recent progress, in society, boys are generally expected to be unemotional, strong, attracted to girls, sporty and to conform to ideals of masculine physical attractiveness. Girls are generally expected to be nurturing, emotional, helpful, attracted to boys, and to conform to ideals of feminine physical attractiveness. These are called gender 'stereotypes', 'gender norms' or 'gender rules'. Many young people find these 'stereotypes' too restrictive; they can experience peer pressure to conform to them or may experience bullying if they are seen to break the 'rules'. Transgender young people 'break' these gender rules

because their gender identity does not match the sex assigned to them at birth, or they express their gender in a way that others do not consider 'normal'.

Gender identity – a person's deeply-felt internal and individual experience of gender. This may or may not correspond with the sex assigned to them at birth.

Gender expression – a person's gender-related appearance including clothing, speech and mannerisms. Young people may express their gender in ways which are not considered traditionally feminine or masculine.

## **Transgender identities and terms**

'Transgender' and 'trans' are umbrella terms for people whose gender identity differs in some way from the sex assigned to them at birth. The diagram shows the most common identities which come under the 'trans umbrella'. Teachers can show young people that they have some understanding if they use these terms. Using them correctly also validates young people's identities and experiences. It's worth remembering that:

- Many LGBT+ young people don't know all these terms
- Their understanding of their identity may be developing
- Language is constantly evolving.

The most helpful thing to do is to ask a young person how they identify themselves. But, if they don't have an answer, there is no need to press them. They don't need a label to receive support. It is helpful if teachers are led by the young person, and allow them to explore their own definition and understanding of gender.

## **Trans boys/men**

People whose birth sex is female but who identify as boys/men. Sometimes, the term 'female-to-male' (FTM) is used to describe the direction in which someone is transitioning or wishes to transition. A trans boy is likely to be distressed about being seen as female. They are likely to assert a male gender identity consistently and persistently. The prospect of going through female puberty, especially breast-growth and menstruation, is often traumatic.

This is different from a girl who some people might describe as a 'tomboy' because she enjoys rough, noisy activities or the clothes or toys traditionally associated with boys. Trans boys/men will likely use he/him pronouns.

## **Trans girls/women**

People whose birth sex is male but who identify as girls/women. Sometimes the term 'male to- female' (MTF) is used to describe the direction in which someone is transitioning or wishes to transition. A trans girl is likely to be distressed about being



seen as male. They are likely to assert a female gender identity consistently and persistently. The prospect of going through male puberty, especially facial hair growth and voice breaking, is often traumatic.

This is different from a boy who some people might perceive as 'feminine' because he enjoys gentle, caring activities or clothes or toys traditionally associated with girls. Trans girls/women will likely use she/her pronouns.

## **Non-binary people**

People who do not identify exclusively as a boy or as a girl. Some people describe gender as a spectrum with 'boy' at one end, 'girl' at the other, and non-binary in the middle. This is too simplistic:

- Some non-binary people may have a gender identity which incorporates various aspects of being a boy and being a girl
- Some non-binary people may strongly reject all aspects of being a boy or a girl
- Some non-binary people may find that how comfortable they feel in any gender fluctuates
- Some non-binary people experience distress about the physical sex characteristics of their body and/or the prospect of pubertal changes – others do not.

The degree to which a non-binary person expresses femininity, masculinity and/or androgyny (combination or absence of masculine and feminine characteristics) is very individual. Non-binary people also vary in whether or not they wish to change their name. Many prefer to use the gender-neutral pronoun 'they' and may find it distressing to be referred to using gendered pronouns (he or she). Some use a mixture of different pronouns from day to day, and a few use gender neo pronouns such as 'per' or 'zie'. Non-binary is not to be confused with Gender Fluid which is when someone doesn't feel and/or identify as the same gender all of the time.

## **Transition**

A multi-step process as transgender people begin living their lives in a way that affirms their gender identity. In schools, this will primarily consist of a social transition: young people changing their name, pronoun use and physical appearance (hairstyle, clothes and so on). A small number of young people may begin medical transition while in school. Schools and teachers do not need to be involved in this. The young person may wish school staff who are supporting them to be aware of it.

## **Gender non-conforming people**

People who do not conform to gender stereotypes in clothes and accessories; speech or mannerisms; interests and behaviour. Being gender non-conforming is not the same as being transgender or non-binary. Nonetheless, gender non-

conforming people may experience the same sort of bullying and similar issues at school as trans boys, trans girls and non-binary people.

### **Sexual orientation and being transgender**

Being transgender is separate from a person's sexual orientation. Sometimes these two different concepts are conflated, and assumptions made. It is therefore, helpful for teachers to understand the differences:

- The term transgender describes a person's gender identity
- Sexual orientation describes who an individual is physically and/or emotionally attracted to
- Transgender people can be straight, gay, lesbian, bisexual or any other sexual orientation.

*“The difference between gender identity and sexual orientation is between who you are and who you love.”*

*United Nations Free and Equal campaign*

## **Appendix 1**

### **Policy & Legislation and further information**

#### **Education policy and approach**

The following context provides the framework for supporting LGBT+ young people in schools.

Education policy and approaches are designed to allow teachers to use their professional judgement to establish the content, context and manner in which they are carried out. If the words 'trans', 'LGBT+' OR 'LGBT+' are not specifically mentioned in policy, it does not mean they should be excluded from your approach or from the curriculum.

#### **Curriculum for Excellence**

Scotland's Curriculum - Curriculum for Excellence (CfE) - aims for children and young people to be confident individuals, effective contributors, responsible citizens and successful learners.

Under 'Health and Wellbeing' responsibilities for all, 'Children and young people should feel happy, safe, respected and included in the school environment and all staff should be proactive in promoting positive behaviour in the classroom, playground and the wider school community'. For LGBT+ young people to feel happy, safe, respected and included, their identities need to be positively included in the learning environment, and they need to feel confident that they can talk to school staff.

Under 'Responsibilities for All' children and young people should, amongst other things:

- develop my self-awareness, self-worth and respect for others
- understand and develop my physical, mental and spiritual wellbeing and social skills
- understand that adults in my school community have a responsibility to look after me, listen to my concerns and involve others where necessary
- learn about where to find help and resources to inform choices

- reflect on my strengths and skills to help me make informed choices when planning my next steps
- acknowledge diversity and understand that it is everyone's responsibility to challenge discrimination.

CfE experiences and outcomes under Health and Wellbeing cover respect, healthy relationships and personal development. There are opportunities in other curriculum areas too, including social studies:

- 'I can gather and use information about forms of discrimination against people in societies and consider the impact this has on people's lives.' SOC 2-16b
- 'I can discuss issues of the diversity of cultures, values and customs in our society.' SOC 2-16c
- 'I can explain why a group I have identified might experience inequality and can suggest ways in which this inequality might be addressed.' SOC 3-16a

These outcomes give teachers scope to discuss the experiences of LGBT+ people, and encourage understanding of issues which affect LGBT+ young people and adults. In 2017, the Scottish Government published guidelines on what it expects to be covered through Health and Wellbeing. It notes that learners working at Level 2 and above should be able to 'demonstrate an understanding of diversity in sexuality and gender identity'.

### **Relationships, Sexual Health and Parenthood**

In September 2019 a new national online Relationships Sexual Health and Parenthood resource was published. This resource will strengthen the delivery of RSHP education across the country through provision of learning activities that are age and stage appropriate for use in all education settings. The resource includes learning material on healthy relationships, consent, physical and sexual abuse, sexual health and reproduction, emotional wellbeing, stereotypes and equalities, gender and parenthood, all of which are areas that young people have told us they want to learn about. LGBT Inclusive Education recommendations. The LGBT inclusive education working group made a suite of recommendations to promote and support consistent and effective delivery of LGBTI inclusive Education in all schools. More information can be found [here](#)

### **Improving gender balance and equalities 3-18**

Improving Gender Balance and Equalities (IGBE) provides age and stage appropriate resources and research for practitioners to help:

- challenge gender stereotypes;
- address unconscious bias;

- improve gender balance in subject uptake and learner pathways;
- promote whole-establishment approaches to equality.

### **Getting it right for every child**

Getting it right for every child (GIRFEC) is the national approach in Scotland to improving outcomes for young people through promoting, supporting and safeguarding their wellbeing so that they can become confident individuals, effective contributors, successful learners and responsible citizens. It aims to provide support that is easy to access and responsive to the wellbeing needs of children, young people and their parents, through an approach that is:

- Child-focused: ensuring the child or young person, and their family, are at the centre of decision-making, and building solutions to support them
- Holistic: looking at the whole picture of a child or young person's wellbeing so that issues are not addressed in isolation from their individual circumstances, their strengths, and their resilience.
- Easily accessed: identifying a need as early as possible so that effective support is offered at the right time and before those needs get worse
- Joined-up: the child or young person, their parents and professionals work together to consider what help is required, involve the services needed to support them, and ensure co-ordination of services where beneficial through a single planning process.

All young people need to be nurtured, included, healthy, active, achieving, respected, responsible and above all safe. Consideration of wellbeing is based on those needs in the context of a young person's world and unique circumstances, as well as their strengths and factors that affect their resilience.

For LGBT+ young people, the Getting it Right for Every Child approach means support should be holistic and they should be at the centre of any assessment, identification of solutions and support, decision making and planning.

- Schools should actively ensure that the school culture and Getting it Right for Every Child approach is inclusive of and responsive to LGBT+ identities, even if there are no 'out' LGBT+ young people in the school. This helps to raise everyone's awareness and prevent transphobic bullying.

### **United Nations Convention on the Rights of the Child (UNCRC)**

The UNCRC applies to all young people and underpins the approach to children's rights in Scotland.

The articles of the UNCRC are an important reference in supporting LGBT+ young people. For example:

- Article 2 ensures the right to protection from discrimination. Discrimination is being treated unfairly because of who they are. LGBT+ young people have the right to fair treatment in school. Refusing to accommodate a LGBT+ young person could constitute discrimination
- Article 3 requires that the best interests of the child must be the primary concern in making decisions that may affect them. Schools must keep the best interests of a LGBT+ young person at the heart of decisions made about them
- Article 6 requires children and young people to have a right to life, to survive and develop. LGBT+ young people have the right to develop and grow in school, and this article states clearly that they should be supported in that. LGBT+ young people are more likely to suffer from suicidal thoughts and self-harm than their peers
- Article 8 details the right to an identity. It doesn't specifically name LGBT+ young people or gender identity but it clearly states that parties should respect the right of the child to their own identity and name
- Article 12 requires respect for the views of the child. When schools make decisions about a young person, they should inform the young person and take their views into account. This is, therefore, important when making decisions about LGBT+ young people in school settings
- Article 16 ensures a child's right to privacy. If a young person comes out as LGBT+ there is no immediate need to inform their parents or others. See more on confidentiality and information sharing on pages 19 & 23.
- Article 17 gives children the right to information that is important to their health and wellbeing. For LGBT+ young people, this includes telling them about the support available
- Article 19 gives children the right to be protected from being hurt and mistreated, physically or mentally. Schools have a key role in keeping LGBT+ young people safe from bullying, including transphobic bullying
- Articles 28 and 29 ensure the right of all young people to an education. This can be achieved if LGBT+ identities are respected and included in the school environment. Rights-based approaches can be a very powerful way to engage with learners in relation to a wide range of issues.

## **Legislation**

### **The Equality Act 2010**

The 2010 UK Act provides a legal framework to protect the rights of individuals and advance equality of opportunity for all. It provides discrimination law which protects individuals from unfair treatment and promotes a fair and more equal society.

The Act covers discrimination based on age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These categories are known in the Act as ‘protected characteristics’.

The Act provides certain protections for those with a protected characteristic, this includes protections from discrimination, harassment and victimisation. Chapter 1 of the EHRC Technical Guidance for Schools in Scotland (<https://www.equalityhumanrights.com/en/publication-download/technical-guidance-schools-scotland>) provides an overview of the schools provisions of the Act, including what may be lawful, unlawful and whether exceptions may be available

Equality Act exceptions:

The EHRC’s Services, Public functions and Associations: Statutory Code of Practice sets out that “The basic presumption under the [Equality] Act is that discrimination because of the protected characteristics is unlawful unless any exception applies and any exception to the prohibition of discrimination should generally be interpreted restrictively.”

Section 195 of the Act provides for single-sex and exceptions in relation to LGBT+ persons for competitive sport provided under Part 3 of the Act. Schools will wish to carefully consider whether the activities they are planning would be considered competitive sport, or physical activity and sport as part of the Health and Wellbeing Curriculum. The EHRC’s Services, Public functions and Associations: Statutory Code of Practice provides further advice on this exception.

“Competitive sport – sex and gender reassignment

For sporting competitions where physical strength, stamina or physique are significant factors in determining success or failure, the Act permits separate events to be organised for men and for women.

If the physical strength, stamina or physique of the average person of one sex would put them at a disadvantage compared to the average person of the other sex as competitors in a sport, game or other competitive activity, it is not unlawful for those arranging the event to restrict participation to persons of one sex.

The 2010 Act permits the organisers of such a sport, game or other competitive activity to restrict participation of a transsexual person in that activity but only if this is necessary in a particular case to secure fair competition or the safety of other competitors.”

There are also single-sex exceptions in the Equality Act 2010 for services under Part 3, Services and Public Functions. The EHRC’s Services, Public functions and Associations: Statutory Code of Practice provides further advice on this exception

## **Gender reassignment discrimination and separate and single-sex services**

If a service provider provides single- or separate sex services for women and men, or provides services differently to women and men, they should treat transsexual people according to the gender role in which they present. However, the Act does permit the service provider to provide a different service or exclude a person from the service who is proposing to undergo, is undergoing or who has undergone gender reassignment. This will only be lawful where the exclusion is a proportionate means of achieving a legitimate aim.

The 2010 Act also contains an exception relating to communal accommodation. The EHRC's Technical Guidance for Schools sets out that "Communal accommodation' is residential accommodation that includes dormitories or other shared sleeping accommodation, which, for reasons of privacy, should be used only by persons of the same sex. It can also include residential accommodation that should be used only by persons of the same sex because of the nature of the sanitary facilities serving the accommodation." The guidance also sets out the matters which a school would wish to take into account in relation to the exception.

### **Legitimate Aim**

The EHRC's Technical Guidance for Schools sets out that in the context of school education, examples of legitimate aims might include:

- ensuring that education, benefits, facilities and services are targeted at those who most need them;
- The fair exercise of powers;
- ensuring the health and safety of pupils and staff, provided that risks are clearly specified;
- maintaining academic and behaviour standards; and
- ensuring the wellbeing and dignity of pupils.

Further information about legitimate aim in the context of discrimination is available in the EHRC's Technical Guidance for Schools in Scotland

### **What does guidance say about gender reassignment?**

The EHRC Technical Guidance for Schools sets out that gender reassignment "is a personal process (rather than a medical process) that involves a person moving away from his or her birth sex to his or her preferred gender and thus expressing that gender in a way that differs from, or is inconsistent with, the physical sex with which he or she was born. This personal process may include undergoing medical procedures or, as is more likely for school pupils, it may simply include choosing to



dress in a different way as part of the personal process of change. A person will be protected because of gender reassignment once:

- he or she makes his or her intention known to someone, regardless of who this is (whether it is someone at school or at home, or someone such as a doctor);
- he or she has proposed to undergo gender reassignment, even if he or she takes no further steps or decides to stop later on;
- There is manifestation of an intention to undergo gender reassignment, even if he or she has not reached an irrevocable decision
- He or she starts or continues to dress, behave or live (full-time or part-time) according to the gender with which he or she identifies as a person;
- He or she undergoes treatment related to gender reassignment, such as surgery or hormone therapy; or
- He or she has received gender recognition under the Gender Recognition Act 2004. (<https://www.legislation.gov.uk/ukpga/2004/7/contents> ) It does not matter which of these applies to a person for him or her to be protected because of the characteristic of gender reassignment”.

### **Data Protection Law**

There is also legislation on processing (including sharing) personal information related to young people.

The UK General Data Protection Regulation (UK GDPR) together with the Data Protection Act 2018 (<https://www.legislation.gov.uk/asp/2018/12/contents> ) provides the legal framework for the processing of personal data. They regulate the processing, including the collection, use and disclosure of personal data, and gives individuals certain rights in relation to their personal data. Children have rights in their own regard where they have sufficient maturity and understanding to do so, which they are presumed to do from age 12. This means that schools should ensure that LGBT+ young people’s rights to processing of their personal data including, where relevant, consent should be met, and that their rights in relation to appropriate use of data within schools should be upheld.

### **The Education (Additional Support for Learning) (Scotland) Act 2004**

This Act states that a child or young person has additional support needs 'where, for whatever reason, the child or young person is, or is likely to be, unable without the provision of additional support to benefit from school education provided or to be provided for the child or young person'.

The legislation may apply to any young person experiencing bullying or discrimination. It also applies to children and young people experiencing poor mental

health, where these matters cause a barrier to the child or young person's mental health.

#### Children and Young People (Scotland) Act 2014

The Children and Young People (Scotland) Act (<https://www.legislation.gov.uk/asp/2014/8/contents>) places a duty on Scottish Ministers to keep under consideration whether there are any steps which they could take which may secure better or further effect in Scotland of the UNCRC requirements, and if appropriate, take those steps. Schools should be mindful of this and of the duty on local authorities to report on the steps taken to secure better or further effect within its areas of responsibility of the UNCRC requirements.

#### The Offences (Aggravation by Prejudice) (Scotland) Act 2009

This Act (<https://www.legislation.gov.uk/asp/2008/8/contents>) creates a statutory aggravation for crimes where at the time of committing the offence, or immediately before or after doing so, the offender evinces (demonstrates) malice and ill-will towards an individual based on their actual or perceived sexual orientation, LGBT+ identity or disability. The statutory aggravations can also apply if it is proved that the offence was motivated by malice and ill-will towards persons who have those characteristics. This Act, in combination with similar legislation focusing on religion and race, is commonly referred to as Hate Crime legislation. If offences are proven to result from such malice or ill-will, the court must take this into account when determining a sentence. This can lead to a longer custodial sentence, higher fine or a different type of sentence.

For more information see: <https://www.scotland.police.uk/advice-and-information/hate-crime/>

#### **The Age of Legal Capacity (Scotland) Act 1991**

This Act (<https://www.legislation.gov.uk/ukpga/1991/50/contents>) states that a child of 12 and over is presumed to have sufficient capacity to make decisions, and enter into formal agreements on their own behalf. This includes to instruct a solicitor, to sue on their own behalf and consent to their own medical treatment, and to enter into transactions usual for a child of that age. As is noted below, a young person cannot undertake the process of changing their sex on their birth certificate until they are 18 years of age. Further information on medical transition and puberty is also available below. These should be read together.

#### **The Gender Recognition Act 2004 and legal recognition**

The Gender Recognition Act (<https://www.legislation.gov.uk/ukpga/2004/2/contents>) created a process for the legal recognition of an individual's acquired gender, which enables changing the sex recorded on a person's birth certificate.

If an individual is 18 years or older, has lived in a way that affirms their gender identity for at least two years, intends to continue living in the acquired gender, and has been diagnosed as having gender dysphoria, they can apply to receive a Gender Recognition Certificate (GRC). A GRC enables individuals to change the sex recorded on their UK birth certificate. An individual can receive a GRC without having undergone hormone treatment or surgery.

## **Puberty and medical transition**

LGBT+ young people may recognise and discuss their gender identity at any age. Before puberty, any transition or change is limited to socially changing their name, pronoun and gender expression. These aspects do not need medical or healthcare involvement.

The onset of puberty can often confirm feelings of 'gender dysphoria' when the body begins to change and develop in ways which are inconsistent with the young person's gender identity. This can be very distressing and LGBT+ young people may develop negative ways of coping such as self-harming.

It is important to recognise that not all young people who identify as LGBT+ seek medical assistance to transition, want medical treatment or need it. In Scotland, medical interventions for LGBT+ young people (under 18) take place at the Young People's Gender Service (YPGS), based at Sandyford Services in Glasgow. Referral can be made before puberty, though the main focus of the service is on young people who are in early puberty and onwards.

LGBT+ young people can be referred to the clinic by:

- Their GP
- Their parents or carers
- An outside agency
- Self-referring.

There is a waiting list, so young people may wait some time before an appointment is offered with the clinic. This can be very difficult for some young people. The school, their families and outside agencies often have to support LGBT+ young people at this time.

Following assessment, if the YPGS diagnoses a young person with 'gender dysphoria', it can offer ongoing support. For some young people this may also involve a variety of different medical interventions.

## **Appendix 1 Definition of Term**

**Asexual:** A person who does not experience sexual attraction. Asexual people can experience platonic attraction but may have no sexual desire or need within their relationships.

**Bisexual:** A person who is emotionally and/or physically attracted to people of more than one gender or regardless of gender. Historically definitions of bisexual refer to 'an attraction towards men and women' however many bisexual people recognise that there are more than two genders. Some people use the term 'Pansexual' to more explicitly recognise more than one gender.

**Cisgender:** Individuals who have a match between the gender they were assigned at birth, their bodies, and their personal identity. In other words, those who are not, or do not identify as transgender.

**Gay:** someone who is emotionally and/or sexually attracted to people of the same gender.

**Gender Fluid:** A person whose gender is not static and changes throughout their life. This could be on a daily / weekly / monthly basis and will be different for everyone.

**Straight/Heterosexual:** someone who is emotionally and/or sexually attracted to people of the opposite gender.

**Intersex:** Someone whose biological sex is different in some way from what is traditionally considered clearly male or female. There are many ways to be intersex, it's not just about external genitalia. It can also be because of differences in reproductive systems, chromosomes, or hormones. This may be apparent at birth or become apparent later in life - often at puberty, or when trying to have a child. Some people never find out that they're intersex.

**Lesbian:** A girl or woman who is emotionally and/or sexually attracted to other girls or women.

**Non-Binary:** Gender identities that are not exclusively male or female. People can be both male and female, neither, or their gender may be more fluid (i.e., unfixed, and changeable over the course of time). Many view gender as a one dimensional spectrum with male on one end, female on the other, and non-binary in the middle – but the reality is that gender is often more complex.

**Pansexual:** A person who is emotionally and/or sexually attracted to anyone regardless of gender (see also “Bisexual”).

**Transgender:** An umbrella term for those whose gender identity or expression differs in some way from the gender assigned to them at birth and conflicts with the ‘norms’ expected by the society they live in. Included in the overall transgender umbrella are transsexual people, non-binary gender identities and cross-dressing people.

**Queer:** An umbrella term used for diverse sexual orientations or gender identities that are not heterosexual and do not fit within a gender binary. It may be used to challenge the idea of labels and categories such as lesbian, gay, bisexual, or transgender. It is important to note that it is an in-group term and may be considered offensive to some people.

## Educational Services

## Supporting LGBT+ Pupils

**Author:** Claire Cusick

**Service:** Educational Services

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### Appendix 2 Resources and supports

There are a number of organisations and resources which may provide help and support to schools, young people and their families.

There are a range of organisations which provide support and advice to young people about their wellbeing. Schools and education authorities will have local arrangements for the provision of support for health and wellbeing. National organisations can also provide advice and information to young people.

#### Childline

Can provide a source of advice and information and online support for all young people on their wellbeing.

<https://www.childline.org.uk/>

#### Young Scot

Provide young people with:

- a one-stop-shop of high quality information and opportunities through the national digital platform;
- opportunities and experiences through the Young Scot National Entitlement Card,
- opportunities to develop new ideas and solutions, to create positive change through our Service Design offer, and take part in participation initiatives through our Outreach Service and Schools Strategy.

<https://young.scot/>

#### LGBT+ Youth Scotland

Scotland's national charity for LGBT+ young people, works with 13–25 year olds across the country. Their website includes resources, services and support for transgender young people (including online support). They support schools through the LGBT+ Schools Charter programme and provide training on supporting and including transgender young people.

#### Scottish Trans Alliance

Assists transgender people, service providers, employers and equality organisations to engage together to improve gender identity and gender reassignment equality,

rights and inclusion in Scotland. Their website includes a wide range of information including links to support groups for parents. <https://scottishtrans.org>

### **Stonewall Scotland**

Deliver training, produce resources and develop membership programmes to empower teachers and education professionals to tackle homophobia, biphobia and transphobia in schools and colleges. <https://stonewallscotland.org.uk>

### **Time for Inclusive Education (TIE) & LGBT+ Inclusive Education Report Recommendations**

A Scottish charity that aims to combat homophobia, biphobia and transphobia in schools with LGBT+-inclusive education <https://tie.scot>. They provide a range of services, from teacher training to year group assemblies and various workshops. They also offer resources on cross curricular inclusion with a focus on LGBT+ History (Moments), LGBT+ role models (Icons) and a resource on LGBT+ groups in schools. Staff can access free curriculum resources and professional learning at <https://lgbteducation.scot/>. The platform is managed by Time for Inclusive Education on behalf of the Scottish Government, and is endorsed by a variety of stakeholders, including those in the education sector.

### **Mermaids**

UK wide charity that supports children, young people, and their families and works to raise awareness about gender nonconformity in children and young people. <https://mermaidsuk.org.uk>

### **Young People's Gender Service– Glasgow**

A multi-disciplinary team based in Glasgow who specialise in working with young people aged 17 and under, experiencing uncertainty or distress about their gender. The Service provides clinical input for young people and their families from across Scotland, as well as consultation and training to professionals and other agencies. <https://www.ngicns.scot.nhs.uk/information/children-and-young-people/>

The following resources can provide support to schools and schools staff to provide learning and teaching which is age and stage appropriate.

### **Y-Sort-It**

An LGBT+ Youth Group in West Dunbartonshire Council.  
5 West Thomson Street  
Clydebank G81 3EA  
T: 0141 941 3308  
E: [info@ysortit.com](mailto:info@ysortit.com)

### **Togetherall**

Togetherall is a safe, online community where people support each other anonymously to improve mental health and wellbeing. <https://togetherall.com/en-gb/>

### **CRISIS Counselling**

CRISIS provides counselling and support to people who need it when they need it.-  
Crisis Counselling Ltd. Riverside House, Old Ferry Road, Erskine, Renfrewshire PA8  
6AX Tel: 0141 812 8474

[info@crisiscounselling.co.uk](mailto:info@crisiscounselling.co.uk)

### **LIFELINK**

Lifelink's one to one support gives young people the opportunity to discuss any issues that may be affecting them. Our counsellors will work on ways to overcome any difficulties they have so that they can go back to feeling positive again.

<https://www.lifelink.org.uk/>

### **Films**

#### **My Genderation**

A film project set up to record the experiences and perspectives of gender variance. Their mission is to create short films which accurately represent individual journeys relevant to gender expression and self-identity. Suggested films for use in Scottish schools include: Luke, Reuben, Rueben six months later, Captain Hannah and Private Mel. <https://mygenderation.com/>

### **Books**

Suggested books for primary schools use are:

- Red, a crayon's story, by Michael Hall
- Are you a boy or are you a girl, by Sarah Savage and Fox Fisher
- I am Jazz, by Jazz Jennings (picture book)
- Introducing Teddy, by Jessica Walton
- Who are you, by Brook Pessin-Whedbee
- Suggested books for secondary schools to use are:
- The art of being normal, by Lisa Williamson
- I am J, by Cris Beam
- If I was your girl, by Meredith Russo
- Rethinking normal by Katie Rain Hill
- TransMission by Alex Bertie



## **Other resources**

Pop'n'Olly is an LGBT+ and equality educational resource used by children, parents, carers and teachers. There are a range of videos and books which support teaching and learning about equality, diversity and acceptance.

Please note, the use of documentaries and books should be reviewed in advance to check whether content is age and stage appropriate

### **Appendix 3 – Frequently Asked Questions**

*Is this guidance not more applicable to older pupils rather than primary pupils?*

Many LGBT+ people reveal that they knew about their identity as soon as they had a sense of themselves – even if they didn't have a vocabulary to express it. Even if students do not identify as LGBT+, members of their family or friends may do or they will see and hear about LGBT+ people online. The students may have questions they want to learn more about.

*Is it still ok to call groups of female pupils 'girls' and groups of male pupils 'boys'?*

When working with a single-sex group then this can be appropriate, but do ask yourself – would I necessarily know if any of these pupils identify otherwise? If you have the opportunity, ask the students themselves what they like to be called – individually and as a group. Ensure there is chance for young people to answer anonymously. Gender-neutral alternatives could be: folks, learners, people, peeps, S1, Primary 7 etc.

#### **Check list for transgender pupils**

- >Thank young person for sharing this information
- >Alert staff to correct name/pronoun with young person's consent
- >Confirm appropriate facilities
- >Change name in known as in SEEMiS
- >Change gender in SEEMiS
- >Change information with Examination Body
- >Regular check-ins

## **A pupil approaches class teacher or support staff, asking to change pronouns and name(s)**

This is a difficult one, with lots of challenges but ultimately the request can be respected.

The Named Person oversees support and actions related to formal changes in Seemis.

Ask the pupil if their parent(s) are aware of and support their request. If not, encourage the pupil to have the conversation at home before making any changes.

If the parent(s) are supportive of the change, we can make the change and note in LPN that the parents are supportive. Alert all staff of the change and inform the pupil that, although staff will do their utmost to remember, there may be cases where they may forget. The name may be changed in SEEMiS **if we have written permission from both parents**. However, if that is not the case, we can add the new name as a “known as”. Remember to update the various aspects of SEEMIS so that the information is throughput to the examination body for certification, etc.

If the pupil is under 12, and if we do not have consent from parents, no change can be made.

If the pupil is 12 or over, parental consent notwithstanding, we can alert staff of the change. LPN must be updated with the consent status and the name may be added to the “known as” information on SEEMIS. **Please remember that the pupil has the legal right to confidentiality.** It is, therefore, crucial that in any letters, reports, phone calls, parents’ nights etc., the pupil is referred to by their original name and pronouns. The new name and pronouns should be used internally, in school. In this case, systems should be put in place e.g., the pupil’s Pastoral Care teacher making an effort to remind staff of what names to use and the confidentiality aspect prior to reporting cycles and parents’ evenings.

## **Gender specific lessons**

In circumstances where a lesson has to be presented to a specific gender in school (school nurse, visiting speaker etc.), pupils should be treated as the gender in which they present. That is, trans girls should be permitted to participate in female only lessons and trans boys in male only lessons.

## **Trans pupil changing in PE, Accommodation on Residential Trips**

For reasons of privacy, dormitories, changing and shower facilities etc. should only be used by persons of the same sex – not gender.

To avoid difficulties, it may be reasonable to consider using separate changing facilities, if possible, for trans pupils. This will reduce the possibility of bullying etc. taking place.

## **Sports, Games**

There is an exception written into the Equality Act 2010 which provides for single sex events in **competitive** sport. Schools will wish to carefully consider whether the activities they are planning would be considered competitive sport, or physical activity and sport as part of the HWB curriculum. If the activity cannot be argued to be competitive sport, then pupils may be grouped in gender groups.

## **Appendix 4 SEEMiS Information**

All education authority schools in Scotland are expected to use the SEEMiS management information system, to record and monitor bullying incidents in schools. SEEMiS now enables schools to record any underlying prejudice or other negative attitudes reported in an incident of bullying, including those relating to a protected characteristic under the Equality Act 2010.

Therefore, schools are expected to record incidents of transphobic bullying, specifically detailing the transphobic elements. This allows schools to accurately monitor incidents; how they responded; and the impact.

The appropriate menu to use in SEEMiS Click+Go to record an incident of bullying is Application>Management>Bullying & Equalities>Maintain Incident

In line with GIRFEC and The Learners Journey, historical information cannot be removed from pupil record.

The help sheet for this menu item can be found on the SEEMiS website (<https://www.seemis.gov.scot/>). Once on the website, click Login and log in with your SEEMiS Click+Go username/password. Once logged in, click on the Help Pages menu then Click+Go and then Management - Bullying & Equalities.

### **Changing name and recorded sex**

Young people can simply choose to tell others informally that they want to use a different name. They don't have to change their name on their official school record. To keep a record of this and improve consistency in staff practice, education authority schools can update the school records held in SEEMiS using the box 'Known As' which can be used to record other names a young person may use in school. Before updating their record it is important to discuss this with the young person to ensure that they would like all teachers in the school to be aware of their name change.

If a young person wants the school to record the change of name and/or change of recorded sex formally, they (with their parents or carers if under 16) should write to the school to instruct this. Letter, email or any other form of written communication is sufficient. Schools do not need to ask for anything else as a name change can be made at any time in Scotland. Changing the recorded sex in SEEMiS has no effect on a young person's legal sex.

The “Known As” and “Sex” fields can be found in SEEMiS Click+Go in the tab labelled “Basic” in menu Application>Records>Edit. To change the “Known As” field, the user has to click on the padlock button beneath the name fields.

Help pages can be found as per the information above on Bullying & Equalities.

A young person or their parent can also officially record their change of name at the National Records of Scotland (see below), however, they are not required to do this to give effect to an amendment to the pupil’s school record. Schools should accept the written request from the young person and/or their parent or carer as sufficient to make the change to the pupil’s record. There is sample text in the appendix 5

Recognising the rights of all parents and carers, it is recommended that consent is obtained from all of those with parental responsibilities for those young people under 16. Bringing parents into this discussion at as early a point as possible would be helpful. It is often said that school records are considered a legal record. This reflects the processing of the information within the school record in line with a regulatory requirement. However, no legal steps are required for a change of name or recorded sex within a school record.

### **How to change the record within the SEEMiS system**

Once the letter has been received, the school can then change the name and sex recorded on the official administration recording system (SEEMiS) and other school files. With the correct level of SEEMiS administration access, such as the school’s business manager or senior management team, the school can then update the name and recorded sex of young people.



Change of name and recorded sex screen on SEEMiS in Application>Records>Edit in the tab labelled “Basic”. To be able to change the name, the user has to click on the padlock button beneath the name fields.

Changing names and the sex recorded on administration systems does not affect the Scottish Candidate Number, and the examination body does not require any

documentation. The school simply needs to update the young person's candidate record:

Note: At present there is no official way to record a young person's pronoun on SEEMiS, however schools can record this information in the young person's file. There is also no option for non-binary identities to be recorded. Schools can ask if the young person prefers one sex over another to be on the official record.

### **Data protection**

Data held within SEEMiS is controlled by the local authority and may be shared out with the school for legitimate education authority functions and council business such as electoral registration.

All school records must be created, processed, transferred, and destroyed in line with the requirements of the Pupils' Educational Records (Scotland) Regulations 2003 (<https://www.legislation.gov.uk/ssi/2003/581/contents/made>), and the requirements of data protection law. Although changes in recorded sex and name are not specifically flagged to local authorities they will hold this data along with all other information on SEEMiS. Under data protection legislation schools should inform LGBT+ young people and their families that any changes made to SEEMiS will be recognised by the local authority, including for purposes such as the electoral roll – schools should not take any additional steps to share this information. The changes will appear automatically, without needing to be flagged.

### **Points to Consider**

There is no reason why a LGBT+ young person's name and sex cannot be changed on school information management systems. The following is recommended:

The young person or parent should send in a written request (see sample letter in the appendix). For those under 16, there must be consent from their parents and carers.

If a young person (over 16) has requested this but has not spoken to their parents/carers about their gender identity, let the young person know that changing their SEEMiS record means that any letters sent home will effectively 'out' them.

At present, there is no option to record non-binary identities on SEEMiS. Schools can ask if the young person prefers one sex over another to be on the official record.

This does not affect a young person's Scottish Candidate Number.

## **Appendix 5 Letter Template**

### **Sample text: to request change of name and recorded sex**

We [insert full names], the parents/guardians of [insert young person's name as it appears on current records], in accordance with their wishes request for them to now be known as [insert young person's new name].

From now on please ensure all records, documentation, resources and workbooks are in the new name of [insert young person's new name].

The name [insert young person's old name] should no longer be used to refer to [insert young person's new name].

We also request in accordance with the wishes of [insert young person's new name] that all locations where gender is recorded, including on SEEMIS, are updated to record the gender of [insert young person's new name] as [insert male of female] and that the pronouns [he/him or she/her] are used when referring to [insert young person's new name].

Yours faithfully  
[Insert full names]



## **Appendix 5 Policy Template**

### XXX School LGBT+ Policy August 202X

We strive to make XX School a safe and inclusive place for all where diversity is not only respected but celebrated. Schools have a duty to promote the safety and wellbeing of all children and young people in their care, including lesbian, gay, bisexual, and transgender pupils and those experiencing homophobic, biphobic or transphobic (HBT) bullying.

We are committed to promoting a positive and diverse culture in which all people are valued and supported to fulfil their potential irrespective of their age, disability, race, religion or belief, gender-reassignment, sex, or sexual orientation.

We recognise our obligations under the Equality Act 2010 and are committed to promoting the equality and diversity of all those we work with including our employees, learners/young people, and visitors.

We oppose all forms of unlawful and unfair discrimination, bullying and harassment and will make every effort to comply with the requirements of the Act and its subsequent provisions.

### **Equality Act 2010**

Schools are required to eliminate discrimination on the grounds of sexual orientation and gender reassignment. This includes tackling HBT bullying. Schools are also required to advance equality of opportunity and foster good relations. This means that schools should go beyond tackling HBT bullying and take proactive steps to promote respect and understanding of LGBT people and issues.

The school aims...

- To provide an inclusive environment in which LGBT pupils, families and staff are valued and respected.
- To promote understanding of and support the needs of LGBT pupils, families and staff.
- To “normalise” LGBT awareness and issues through the provision of an inclusive curriculum.
- To monitor and tackle homophobic, biphobic and transphobic (HBT) language and bullying.

The school seeks to achieve these aims...

- By ensuring that school policies and practices are inclusive and supportive of LGBT people and explicitly state that HBT language and bullying are unacceptable.
- By providing training to staff in supporting LGBT pupils, developing an LGBT-inclusive curriculum, and tackling HBT language and bullying.

- By providing support structures and information/resources to LGBT pupils on LGBT issues and support services.
- By providing pupils with LGBT-inclusive Relationships and Sex Education (RSE), opportunities to discuss gender identity and sexuality, and including LGBT people and themes in the Personal and Social Education (PSE) and wider curriculum where relevant.
- By providing ways for pupils to report HBT language and bullying, monitoring (including through staff and pupil surveys) and recording HBT language and bullying, as well as ensuring that pupils are aware that HBT language and bullying are wrong.
- By ensuring that the school library contains books with LGBT themes and that any assemblies, projects or displays which celebrate diversity or tackle bullying are LGBT-inclusive.
- By maintaining an inclusive school dress code.
- Ensuring that gendered aspects of school life are avoided where possible.
- By participating in the Stonewall School Champions programme (**amend to suit the programme you will follow**), including the School Role Models programme.
- By nominating a member of staff as the school LGBT lead to monitor the implementation of this policy and provide training and additional support and advice to pupils and staff.

## Identities and “Coming Out”

Being LGBT is not a child protection issue or wellbeing concern in itself. You can however talk to others if what you say would not specifically identify a young person or breach their confidentiality. A young person may not have told their family about their sexual orientation or gender identity. Inadvertent disclosure could cause needless stress for the young person or could put them at risk. Therefore, it is best to not disclose information to parents or carers unless there is a clear safeguarding issue.

We recognise all LGBT+ identities at our school and we do not deny the existence of a valid identity. We will also not question an identity or deny it as a “phase”. In particular, we recognise the existence of people who are:

- Asexual
- Bisexual
- Cisgender
- Gay
- Straight/heterosexual
- Gender fluid
- Intersex
- Lesbian
- Non-binary
- Pansexual
- Queer
- Transgender<sup>3</sup>

We also acknowledge that many people do not fit under specific labels. We recognise gender and sexual orientation as spectra.

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<sup>3</sup> See appendix 1 for definitions of these terms

## Transgender and non-binary Pupils

We recognise that pupils who are transgender or non-binary can have specific needs. As with other identities, we do not deny existence, question an identity, or deny it as a “phase”. Thus, when any pupil comes out as transgender (including non-binary), we will consider:

- What they would like to happen.
- How they would like to be known in the school i.e. what name pro-nouns they would like to use.
- What facilities they would like to use and what can be put in place - Considering toilets, PE changing rooms etc.
  - Non-binary pupils will be consulted as to what facilities they would feel most comfortable with.
- Whether and how class teachers/school staff will be informed (with the permission of the pupil).
- Engagement with parent(s) and carer(s) and information the young person wishes to be shared.
- Signposting to GP (young person may already have done this).
- Signposting to other relevant supports (LGBT+ group), other agencies etc.
- Name/identity changes on SEEMIS and parent(s) and carer(s) consent for this change.
- Consider support for siblings and other family members if necessary.

In all cases, we will be led by the needs and views of the pupils. The document “[Supporting Transgender Pupils in Schools - Guidance for Scottish Schools](#)” (August 2021) will be used for further guidance if required. We will also seek support from the West Dunbartonshire Education Services.

In all our decision making we will seek to balance the needs of those with protected characteristics. If a complaint is raised, we will take time to be proportionate and reasonable in our response, considering the issue raised carefully and any evidence of risk/ detrimental impact on pupils.



## WEST DUNBARTONSHIRE COUNCIL

## Report by Chief Education Officer

Committee: Educational Services Committee 21 June 2023

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**Subject: Debt Management in Education Establishments Policy****1 Purpose**

- 1.1 The purpose of this report is to seek Committee's approval for the introduction of a debt management policy in West Dunbartonshire's Education establishments.

**2 Recommendations**

- 2.1 It is recommended that Committee:
- a) Approves the introduction of the debt management policy (Appendix A) in West Dunbartonshire's Education establishments in August 2023.
  - b) Agrees to write off historic debt accumulated in pupil accounts by parents and carers until the introduction of the debt management policy, but to continue to pursue staff debt.

**3 Background**

- 3.1 Debt is a pressing issue facing many people in our communities. West Dunbartonshire Council offer a range of useful information about the Cost of Living - <https://www.west-dunbarton.gov.uk/benefits-and-grants/cost-of-living/>
- 3.2 Where individuals or families find themselves in debt, Working4U offer support with money, debt and benefits issues. More information about this service can be found at <https://www.west-dunbarton.gov.uk/jobs-and-training/working4u/money/>
- 3.3 In June 2017 Members approved the introduction of 'ParentPay', an online payments system for schools across West Dunbartonshire. The purpose of this system was to make any payment transaction easier, and reduce the need for cash handling in our establishments. The greatest volume of payment transactions relate to school meals, but over time the system has been utilized for other functions such as school trips and excursions, breakfast clubs and purchasing items of school uniform.
- 3.4 Following a pilot in March 2018, rollout began in geographical areas for our schools in January 2019. Rollout of the online payments system was interrupted by the pandemic and recovery, but it has now been introduced into all of our Schools and Early Learning and Childcare Centres.

- 3.5** By rolling out a centralized service for online payments, we were able to standardize procedures across establishments, and bring to light inconsistencies in how any debt was handled by establishments.
- 3.6** Prior to the online payments system, primary schools had their own individual approaches to managing payments for school meals. For children not in receipt of a free school meal, schools would signpost families to the application process to find out if they were eligible. For those not eligible, they would be expected to pay for their school meal, or come to school with a packed lunch.
- 3.7** Our secondary schools had a cashless catering system in place, making it possible for our young people to bring cash to school to top up an account linked to their Young Scot card. This allowed them to use their Young Scot card or PIN code at the point of sale in the school cafeteria to purchase a meal. ParentPay linked to this cashless catering system to make it easier for parents to top up the account online, and not require young people to bring cash to school. Some young people in secondary bring a packed lunch, whilst some choose to go out to local shops at lunchtime.
- 3.8** Where it was recognized that a child or young person did not have money for a lunch, each school developed their own solution, and dealt with any instances of debt on an individual case by case basis.
- 3.9** Where families were struggling to pay for school meals, they would be directed to services through Working4U that could help. In some cases, the school fund would help with hardship at the discretion of the Head Teacher, or in the case of our denominational schools, the parish would also discretely assist.
- 3.10** Our Schools and Early Learning & Childcare Centres have robust processes in place to ensure no child goes without a meal. It is important to ensure this remains our priority.

## **4 Main Issues**

- 4.1** With the introduction of ParentPay, we now have an auditable solution for tracking any debt being accumulated by parents and carers in relation to the cost of the school day; the ability to put in place an agreed policy to manage this debt, and to signpost individuals and families to help that we can provide.
- 4.2** Understandably, the level of debt in the system fluctuates according to both payments into the system and transactions. Some parents and carers choose to credit their account on a regular basis, whilst others credit their account when the balance becomes low. For some, paying into their ParentPay account loses out in priority due to other financial pressures or challenges they may be facing.

- 4.3** At the time of reporting, there is -£48,494.61 of active debt in the system. This is broken down as follows:

Active Debt	-£48,494.61
Staff Account Debt (active)	-£589.54
Number of Staff Accounts in debt	48
Number of Staff Accounts over £20.00 in debt	6
Pupil Account Debt (active)	-£47,905.07
Number of Pupil Accounts in debt	1,219
Number of Pupil Accounts over £100.00 in debt	124
Overall Debt*	-£76,168.92
Inactive Debt	-£27,674.31
(Number of inactive pupil accounts in debt)	681
(Number of inactive staff accounts in debt)	15

\* 'Overall Debt' is the total amount of debt recorded in the system. The difference between active and overall is attributed to staff and pupils who have left WDC and whose accounts are no longer active.

- 4.4** At the time of reporting, Pupil Account debt ranges from -£0.01 to -£960.16, and fluctuates according to any payments into the system and any transactions made.
- 4.5** At the time of reporting, Staff Account debt ranges from -£0.13 to -£84.06. A range of measures has already been taken to eradicate this. It should be noted that the majority of staff debt can be attributed to Christmas lunches – the one time of the year where a high volume of staff have a school lunch, but for the rest of the year bring their own lunch to work.
- 4.6** From December 2022 until February 2023, our implementation and use of ParentPay was audited. The objective of this audit was to provide management and the Audit Committee with an assessment of the adequacy and effectiveness of the governance, risk management and controls over the key risks faced by the Council in relation to ParentPay. The outcome was reported to the Audit Committee on the 3rd May 2023. The audit identified three actions:

1. **Lack of Formalised Debt Recovery Guidance** – guidance will be developed which will provide clear procedures and a standard approach, for all staff dealing with debt recovery in schools (Amber – in progress)
  2. **Management of Debt within Establishments** – Heads of Establishments will instruct all staff who require to pay for meals through ParentPay that this must be done in a timely manner, and that debt will not be built up at any time. This will be managed and monitored by Heads of Establishments on a regular basis. (Amber – in progress)
  3. **Lack of Awareness & Inconsistent Practices** – refresher training will be provided to those establishments identified as having a training need. (Green - complete)
- 4.7 Appendix 1 details our suggested approach to manage debt, bringing it into line with our approach of managing any other corporate debt.
- 4.8 Debt accumulated in the system to date has been in the absence of any debt management policy. It is recommended that historic debt recorded in the system prior to the adoption of a debt management policy be written off, but that officers continue to pursue staff debt.

## **5 People Implications**

- 5.1 There are no direct people implications arising from this report.

## **6 Financial & Procurement Implications**

- 6.1 There are no procurement implications arising from this report. Should the recommendations be accepted, West Dunbartonshire Council would be agreeing to write off the overall debt in the ParentPay system prior to the start of the new academic session in August 2023.

## **7 Risk Analysis**

- 7.1 Failure to manage debt accrued through school activities provides an inequitable experience for citizens. Bringing school debt into line with other corporate debts ensures debt is being treated equitably across council services. Failure to manage debt risks reputational damage, and our ability to manage finances.

## **8 Equalities Impact Assessment**

- 8.1 An equalities impact assessment has been carried out.

## **9 Consultation**



- 9.1** Legal, Democratic and Regulatory Services and Section 95 Officer have been consulted with on the content of this paper.

## **10 Strategic Assessment**

- 10.1** The use of an online payments system is consistent with the Council's objectives to make innovative use of information technology and provide efficient and consistent service delivery. Our process to manage debt is aligned with our objective to ensure our Council is adaptable and focused on delivering best value for our residents.

**Chief Officer:** Laura Mason  
**Service Area:** Education  
**Date:** 17 May 2023

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**Person to Contact:** Andrew Brown  
[andrew.brown@west-dunbarton.gov.uk](mailto:andrew.brown@west-dunbarton.gov.uk)

**Appendices:** Appendix 1: Debt Management in Education Establishments Policy

**Background Papers:** Audit Committee 8 May 2023 – Internal Audit Plans 2022/23 – Progress to March 2023 ([link](#))  
Educational Services 6 March 2019 – Online Payment System for Schools ([link](#))  
Good Practice Principles for School Meal Debt Management – COSLA, 20 February 2023 ([link](#))

**Wards Affected:** All



**DRAFT**

**Education, Learning and Attainment  
Debt Management**

**Contents**

- 1.0** Background
- 2.0** Stage 1 – Informal
- 3.0** Stage 2 – Formal
- 4.0** Stage 3 – Notification of Debtors
- 5.0** Appendix A – Stage 2 – Debt Reminder Letter
- 6.0** Appendix B – Stage 3 – Notification of Debtors Letter

## 1.0 Background

- 1.1 Debt is a pressing issue facing many people in our communities. West Dunbartonshire Council offer lots of useful information about the Cost of Living - <https://www.west-dunbarton.gov.uk/benefits-and-grants/cost-of-living/>
- 1.2 Where individuals or families find themselves in debt, Working4U offer support with money, debt and benefits issues. More information about this service can be found at <https://www.west-dunbarton.gov.uk/jobs-and-training/working4u/money/>
- 1.3 This guidance document has been written to assist establishments in adopting a fair and consistent approach in dealing with debt arising from school meals or for **any other reason** where the establishment should have received payments for **any service** provided to parents or carers. It is anticipated that the volume of school meals transactions across the Authority makes it likely that this will form the main area of debt incurred by parents or carers which establishments have to address.
- 1.4 West Dunbartonshire has a well-established practice of ensuring no child will go without a school meal when requested. This guidance does not alter that approach and applies irrespective of whether meals are paid for using the online payments system or by any other means.
- 1.5 Heads of Establishments will have a good understanding and knowledge of the families they serve and on that basis this guidance does not seek to regulate discretion exercised as a matter of professional judgement. Rather, it serves to highlight the need for consistency in dealing with debt where there are no extenuating circumstances or reasonable justification for it having been accrued.
- 1.6 Using ParentPay, education establishments have the benefit of complete visibility of every pupil's payment history as well as any accrued debt. It is important therefore that schools ensure they are monitoring and reminding payers to clear any debt regularly. It is hoped that through early contact and timely reminders with parents/carers, individual pupil's accounts can be brought into credit quickly without further action.
- 1.7 For establishments who have parents and carers who are electing not to make use of ParentPay, and are still receiving cash from parents/carers, the accrual of debt should be addressed in the **same way** to ensure a consistent approach across all establishments. The establishment will require to have a process in place to enable debts to be recorded, and when arrears are paid that this is verified.
- 1.8 This guidance sets out the actions to be taken when debt has arisen through school meals or by any other means. The steps identified in 'Stage 1 – Informal' cannot be underestimated and it is expected that most parents/carers will appreciate the reminder and act accordingly.

- 1.9 Debt is a complex issue, and affects different families in different ways. When considering a '*de minimus*' value as an acceptable level of debt in the system, we first looked to basic costs. A school meal equates to £2.85, making it possible to accumulate debt of -£14.25 per person, per week. Taking a household average of two children, this would equate to -£114 per month. For the purposes of this policy, we would therefore consider a '*de minimus*' value of £100, however Heads of Establishments may wish to exercise their own judgement based on their local knowledge, patterns of payment by parents and carers or local circumstances.

## **2.0 Stage 1 – Informal**

- 2.1 Frequency of payments into ParentPay vary by individual and across establishments. Some parents and carers choose to top up an account on a daily, weekly or monthly basis, where others favour topping up an account on a needs basis.
- 2.2 It may be prudent for establishments to schedule a Groupcall message to remind all parents and carers to keep their account in credit, but individual establishments are best placed to know if this is required based on payment activity or communication preferences.
- 2.3 Consideration should be given to the preferences of individuals, and action taken when a pattern emerges that would suggest that debt is being accrued and not addressed.
- 2.4 Where a pattern emerges that would suggest debt is being accrued and not addressed, you should carry out the following checks –
- Has the SEEMIS upload been carried out regularly? (the child may be eligible for Free School Meals)
  - Is there a possibility that payments have not been credited?
  - Does this parent normally pay on time and this is just a one-off?
- 2.5 Heads of Establishments should exercise their professional judgement about which type of contact or communication channel is best for the individuals in question. Less-formal contact (perhaps through telephone, Groupcall message or personal contact) with parents/carers may be all that is required to alert a parent or carer to the issue, and for action to be taken. It may be that this task is delegated by the Head of Establishment to another member of the Senior Leadership Team or Pastoral Care Team depending upon how contact with parents and families is managed.
- 2.6 It may be at this informal stage that parents or carers could be signposted to the help available on the West Dunbartonshire cost of living website page, or the support offered by Working4U.
- 2.7 Whatever informal route is selected, it is recommended as part of this policy that stage 1 concludes with a message sent through Groupcall to draw any

informal support or guidance to a close. Many establishments choose to automatically send out a Groupcall text message when an account goes into debt. It may be that the Groupcall message is the only informal route selected.

- 2.8 The following text should be sent through Groupcall to conclude stage 1 –

*Dear Parent/Carer*

*According to our records your child's ParentPay account is in arrears. Please could this be settled as soon as possible.*

*Thank you*

### **3.0 Stage 2 - Formal**

- 3.1 If parents/carers have failed to respond to the less formal reminders for their debt to be resolved outlined in stage 1 above, then the following procedures are to be followed to ensure a consistent, fair and transparent approach to resolving the debt.
- 3.2 If there has been no contact with the establishment regarding the debt following the Groupcall message concluding 'Stage 1 – Informal' then a **Stage 2 – Debt Reminder Letter (Appendix A)** should be sent to the payer by email **OR** Royal Mail.
- 3.3 This pro-forma letter has been set up in ParentPay for your use, however it is accepted that Heads of Establishments may wish to alter the wording dependent on the circumstances of the accrued debt.
- 3.4 Please ensure Central Education staff are aware that a Stage 2 letter has been sent.

### **4.0 Stage 3 – Notification of Debtors**

- 4.1 Should the debt continue to be ignored by the payer you should check -
- Has the payer made ANY contact with the establishment to address the debt or discuss the matter?
  - Has any action been taken to reduce the level of debt?
- 4.2 If the pupil's account remains at the same level of indebtedness or continues to grow, and there has been no contact made with the child's establishment or steps taken to reduce the level of debt then a **Stage 3 – Notification of Debtors Letter (Appendix B)** should be sent to the payer by email **OR** Royal Mail.
- 4.3 As with Stage 2, a pro-forma letter has been set up in ParentPay but this can be customised by the Head of Establishment dependent on the circumstances.

- 4.4 Please ensure Central Education staff are aware that a Stage 3 letter has been sent. Central Education staff will work with the Debtors team to transfer the debt.
- 4.5 Where a debt has been transferred to Debtors, the account in ParentPay will have its balance reset to zero. Parents or carers should be reminded that to prevent any future additional debt, they should ensure that they keep their ParentPay account in credit.

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## **Appendix A – Stage 2 – Debt Reminder Letter**

[Parent's name]

[Parent's Address]

Date

Dear (**Parent's name**),

(**Pupil's name Class**)

Following our text message to you on (**date of Groupcall**) advising that our records show that (**Pupil's name**) account is in arrears, I note this matter has not yet been addressed, and you have not made contact to discuss the matter.

If the debt is not paid within the next **7 days** from the date of this letter the matter will be passed to the Debtors Section within West Dunbartonshire Council who will pursue payment. I would emphasise that this procedure is only followed as a last resort as you may be liable for additional costs as well as the amount of unpaid school meals debt.

Working4U offer support with money, debt and benefits issues. We know debt can cause stress and sleepless nights. Working4U advisers provide information to allow you to make an informed choice in your route out of debt. Working4U will assist you throughout the process, and can check you are receiving all the benefits you are entitled to.

Working 4U can also assist with learning and employability services.

This is a free and confidential service to all West Dunbartonshire residents. For more information about this service and how to refer yourself please visit -

<https://www.west-dunbarton.gov.uk/jobs-and-training/working4u/money/>

There is lots of useful information on the Council's website about the Cost of Living for more information please visit - <https://www.west-dunbarton.gov.uk/benefits-and-grants/cost-of-living/>

You can check your account balance at any time by logging into your ParentPay account. You also have the option to use the Auto top-up feature for school meals which will automatically top up your child's lunch balance when it falls below a set value.

If you have any queries regarding these arrears or if you have difficulty making



payment please contact the school office to discuss this further, but please note that you must do this within the next 7 days.

Yours sincerely,

Head Teacher / Head of Centre

DRAFT

## Appendix 2 – Stage 3 – Notification of Debtors Letter

[Parent's name]

[Parent's Address]

Date

Dear (**Parent's name**),

(**Pupil's name Class**)

Following our text message and email/letter to you advising that our records show that (**Pupil's name**) account is in arrears, I note this matter has not been addressed, and you have not made contact to discuss the matter.

As **7 days** from our letter has passed we have now passed the debt onto the Debtors Section within West Dunbartonshire Council who will pursue payment. As this debt is now being passed to the Debtors Section in West Dunbartonshire Council, your balance in ParentPay will reset to zero. To prevent any future additional debt, please ensure you keep your ParentPay account in credit.

Please be reminded Working4U offer support with money, debt and benefits issues. We know debt can cause stress and sleepless nights. Working4U advisers provide information to allow you to make an informed choice in your route out of debt. Working4U will assist you throughout the process, and can check you are receiving all the benefits you are entitled to. Working 4U can also assist with learning and employability services. This is a free and confidential service to all West Dunbartonshire residents. For more information about this service and how to refer yourself please visit - <https://www.west-dunbarton.gov.uk/jobs-and-training/working4u/money/>

There is lots of useful information on the Council's website about the Cost of Living for more information please visit - <https://www.west-dunbarton.gov.uk/benefits-and-grants/cost-of-living/>

Yours sincerely,

Head Teacher / Head of Centre

DRAFT



**WEST DUNBARTONSHIRE COUNCIL****Report by Chief Education Officer****Committee: Educational Services Committee 21 June 2023**

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**Subject: Education Delivery Plan 2023/24****1 Purpose**

1.1 This report sets out the Education Delivery Plan for 2023/24.

**2 Recommendations**

2.1 It is recommended that Committee agrees the new plan.

**3 Background**

3.1 In line with the Strategic Planning & Performance Framework, each Chief Officer develops an annual Delivery Plan which sets out actions to help deliver the Strategic Plan and address the performance challenges and service priorities identified in the planning process. The Plan also provides an overview of services and resources, including employees and budgets, sets out the performance indicators (PIs) for monitoring progress and considers the relevant risks.

**4 Main Issues**

4.1 The 2023/24 Delivery Plan is set out at Appendix 1.

4.2 Key priorities include:

- delivering sustainable, quality services within the context of significant financial challenges;
- Place the human rights and needs of every child and young person at the centre of education ;
- Improve children and young people's health and wellbeing;
- Narrow the attainment gap between the most and least disadvantaged children and young people;
- Improve attainment, particularly in literacy and numeracy;
- Improve skills and sustained, positive school leaver destinations for all young people;
- Develop and implement wellbeing, employee engagement, equality and training plans to enable capabilities, improved resilience and promotion of a diverse workforce;
- Develop and implement employee life cycle plans in line with the People First Strategy to attract and retain the workforce;

- Implement service review process including role design, use of new technology and new ways of working to add resilience, address gaps, and establish opportunities for efficiencies;
- Develop and implement training plans and development opportunities to improve capabilities and resilience within the workforce; and
- Liaising with national agencies in response to the Muir Review of the national education agencies, and planning for the recommendations following the Hayward review of assessment and qualifications in the Senior Phase;

**4.3** Implementation of the Plan will be monitored by the management team with mid-year and year-end progress reported to Educational Services Committee around March 2024 and late 2024 respectively, based on a school year.

## **5 Risk Analysis**

**5.1** Failure to deliver on the actions assigned to Education may have a direct impact on the delivery of the Council's Strategic Plan. It is essential that remedial action is taken to ensure strategic delivery plans achieve the commitments detailed and approved.

## **6 Equalities Impact Assessment**

**6.1** Screening and impact assessments will be carried out on specific activities as required.

## **7 Consultation**

**7.1** The delivery plans were developed through consultation with officers from the strategic service areas.

## **8 Strategic Assessment**

**8.1** The delivery plans set out actions to support the successful delivery of the strategic priorities and objectives of the Council.

**Chief Officer:** Laura Mason  
**Service Area:** Education  
**Date:** 25 May 2023

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**Person to Contact:** Andrew Brown [andrew.brown@west-dunbarton.gov.uk](mailto:andrew.brown@west-dunbarton.gov.uk)

**Appendices:** Appendix 1: Education Delivery Plan 2023/24

**Background Papers:** Strategic Planning & Performance Framework 2022/27

**Wards Affected:** All

**2023/24**  
**DELIVERY PLAN**  

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**EDUCATION**



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## **1. Introduction**

Education comprises a wide range of services covering: 29 Early Learning & Childcare Centres; 34 Primary Schools; 5 Secondary Schools; 7 Specialist Settings; Policy, Performance and Resources; Services for Children and Young People; Raising Attainment; Early Learning and Childcare; and Educational Psychology Service.

It is one of 8 strategic areas responsible for delivering the Council's Strategic Plan. Key actions to help achieve that are set out in this Delivery Plan, together with actions to address any performance issues and service priorities identified in the planning process.

The progress of this Plan will be monitored and managed by the Education Leadership Team and reported to Educational Services Committee twice yearly, at mid-way (March 2024) and at the first committee following the end of the academic year (September 2024).

## **2. Performance Review**

The Education Leadership Team completed a detailed review of 2022/23 performance, focusing on the following:

- 2022/23 Delivery Plan year end progress;
- National Improvement Framework report;
- Local Government Benchmarking Framework (LGBF) comparative data;
- Citizens' Panel feedback;
- Telephone Survey feedback;
- Complaints;
- Continuous Improvement (Fit for Future reviews); and
- West Partnership Critical Indicators.

This review highlighted our key achievements in 2022/23 as well as the challenges to be addressed in 2023/24. These are summarised below.

## **Key Achievements in 2022/23**

### **Children's Services**

- We continued to implement our Additional Support Needs (ASN) Strategy. All staff in our 7 Specialist Settings have undertaken professional learning and are implementing the SCERTS (Social Communication, Emotional Regulation and Transactional Supports) framework and approach. This is ensuring equality in experiences and supports for pupils and consistent and collegiate approaches to professional learning. This session a particular focus has been on supporting parents with the programme and impact of consistent home/school approaches.
- Continued with the expansion of our ASN schools estate. We have installed three new temporary classrooms in Kilpatrick School and plans are being progressed to develop Choices and the new Riverside Campus thereafter. This will enable us to support more of the children of west Dunbartonshire in west Dunbartonshire.
- Our Collaborative Support Service delivered a series of Professional Learning opportunities for all staff through the session:
  - 79 Dyslexia Awareness Raising Sessions
  - 120 Autism Spectrum Diagnosis Awareness and Supports Sessions
  - 4 Hearing Impairment Training Sessions
  - 24 Visual Impairment Learning Sessions
- Implemented a second cohort of Coaching across borders professional learning programme with Inverclyde Council. The joint programme of professional learning has successfully developed coaching skills in approximately 30 staff and a group of trained trainers.
- In collaboration with Columba 1400, GTCS and Education Scotland, we developed our launched our Early Career Teacher network which provides monthly support and coaching for the third or our teaching workforce who are in this category.
- Improved approaches to and signposting of supports to keep our children and young people safe in collaboration with a range of CPP colleagues. Pupil groups developed a range of child and young person friendly resources which will be delivered across a range of media platforms.
- 7 Young Ambassadors for Inclusion represented our Secondary Schools across WDC with one representing WDC in the National Group. This group ensures participation and engagement work is an integral mechanism ensuring we are listening and reflecting on the needs, views and preferences of the children and young people we are working with.
- Developed an Involvement and Engagement Strategy which ensures the effective participation and involvement of Children and Young People in the lives of their communities. This involves delivering a programme of professional learning which will ensure all council staff are aware of the UNCRC and the role and responsibilities they have in upholding these.
- All schools have identified UNCRC Champions who are trained in delivering and planning to support establishments in delivering on the Rights of the Child.

## **Raising Attainment**

- Attainment for children in the Broad General Education and living in our most deprived areas (Quintile 1) is higher than the national average; and West Dunbartonshire attainment in 2021/22 is higher than the national average at P1, P4, P7 and S3 (The Annual Statistical Report on Attainment, Scottish Government, December 2022).
- West Dunbartonshire has increased the number of young people moving into a positive destination in 2021/22 with a 5.4% (89.7% >95.1%) increase moving West Dunbartonshire into 20th place (32nd last year) out of the 32 local authorities.
- In academic session 2022/23 West Dunbartonshire has maintained the local authority's record of achieving positive grades in 100% of school and early learning centre inspections. 8 early learning centres and 3 primary schools were inspected this session.
- Key strengths of the authority approach to improvement identified by Head Teachers are:
  - Collaborative improvement approaches which set out clear expectations for improvement; maintaining a sharp focus on raising attainment and narrowing the poverty related gap;
  - Enhanced scrutiny and support visits which provide a forum for supportive and challenging engagement that led to a clear focus for improvement;
  - Leaders workshops/seminars/conferences are providing the opportunity to network, raise awareness of current issues/priorities and share best practice to support school improvement and improved outcomes for learners;
  - School improvement leadership collaboration is providing Head teachers with the opportunity to have a critical friend; and
  - Education Officers providing high quality support, advice and challenge.

## **Early Learning & Childcare**

- Outcomes for children continue to be very positive evidenced through external evaluation by HMIE and the Care Inspectorate, WDC Quality Improvement Framework and Statistical Analysis of children's progress.
- Eighteen Care Inspections have been undertaken since January 2022 to the present date. Our ELC continue to meet the criteria for the National Standard of good and above evaluations of their service through the Care Inspection Quality Framework. We are confident in our leadership, quality improvement framework, training and support contributing to sustaining good and above evaluations, of high quality ELC and positive outcomes for children and families.
- The inspection of our ELC by Education Scotland has resumed. Whitecrook ELC took part in a national thematic inspection focusing on curriculum design. The purpose of the national thematic inspection was to gather evidence on what is working well; aspects for development, any challenges in designing a curriculum and examples of highly effective practice or innovation. HM Inspectors will use the evidence gathered from the visits to develop a national report on the approaches to curriculum design and its impact on improving outcomes for learners. Whitecrook ELC have been invited to provide a case study of their work which will be part of the national report.
- Summary of the positive findings from our ELC Quality Improvement Framework:
  - Detailed and effective use of progress data to inform planning and interventions.

- High expectations for children's attainment and achievement.
- Collegiate approaches to develop curriculum rationale and vision.
- Effective parental involvement and engagement.
- Links to the local community to enhance curriculum offer.
- Well maintained and well looked after environments for learning, rich in resources, providing areas for play, and quieter spaces for children to experience a good pace of the day and times for rest.
- Support for health and wellbeing using exploration of feelings.
- Up Up and Away framework and associated professional learning was beginning to impact.
- Children's reflection on learning was very well supported to personalise the learning journey.
- Children were happy to share their learning using the journal approach.
- National guidance; Realising the Ambition was informing and improving practice.
- Curriculum for Excellence was evident in the principles of curriculum design.
- The One-ery model of early level learning was impacting learners' experiences; based on play pedagogy and nurturing approaches.
- Staff said that they had been involved in the development of their curriculum rationale and ELC vision. They described their leadership roles to develop the curriculum, training and involvement in improvement priorities. Many staff reported that they were undergoing their BA qualification and a large proportion were already qualified to this level. The Froebel training and approaches were also impacting the curriculum offered to children; large numbers of staff said they have benefitted from training in this methodology to develop children's skills for life. Some staff, at a very small number of ELC, said they need support to provide an appropriate curriculum for children with additional support needs. Transition across early level and planning collaboratively was commented on positively.
- Parents' feedback about their children's experience at ELC was positive, describing the quality of the provision, involvement in their child's learning, relationships with staff and their opportunity to work or take up training. One parent commented on the quality of the ELC, maintenance and the old age of the building.
- Assessment data shows that children continue to progress well in literacy and numeracy outcome measures. Our ELC have implemented individual Statistical Reports to analyse their children's attendance, gender, ASN and reasons for support, SIMD distribution and children at risk of not achieving. The report also has literacy and numeracy data action planning which is derived from the data. This tool is impacting positively on equity for children and targeted support which may be required.
- A consequence of the eligible 2 year old policy is earlier identification of children with additional support needs (ASN). Numbers of 3 and 4 year old children with ASN has increased in the last few years. A working group of early years professionals was set up to scope out developments to service delivery which might better support the growing population of children with additional support needs (ASN) in our mainstream settings. In particular, children with autism (ASD), the need for specialist ELC provision and training and support for our ELC staff teams.

- Our parent application process to ELC has been revised which will allow parents to identify their child's ASN. This means that our ELC can provide earlier intervention and support for parents to meet the needs of specific children. We also identified training and support required at our ELC. This is currently being addressed with a programme of learning and support underway.
- Our preparation for the statutory choice that parents can make to defer their child's entry to school is in place. Our Admissions' Policy has been updated to reflect this statutory change. We have capacity in all geographical areas to meet the demand which has increased over time from approximately 30 children in 2018-19 to 121 children for school session 2023-24. As a consequence of this policy, we are supporting our schools and ELC with the implications for the older age range of children in our P.1 and at ELC, through a programme of staff development and professional learning; continued development of play pedagogy at early level and professional collaboration.
- The number of schools implementing the One-ery model approach to learning, which is a model of curriculum delivery based on play pedagogy and nurturing approaches at P.1 and ELC has increased.
- Expansion projects are nearing completion. This includes the outdoor projects at: Gartocharn, Clydebank and Brucehill ELCs. The project for compliance and improvement at St. Mary's ELC Alexandria is complete with a new free flow entrance for children and much improved garden space provided. Christie Park new ELC project is underway. Scheduled opening of the new class planned for September which will meet the needs of the geographical area for increased numbers of children. Dalmuir ELC variation to their registration allows an increased number of placements for eligible 2 year olds which parents in the local area have benefitted from.
- We have 48 career changers: 5 who have completed their training and gained the ELCO qualification; and a further 9 who are undertaking the qualification at present. All career changers are women.

### **Educational Psychology**

- Across primary and secondary sectors 37 members of education staff were trained as Companions to deliver the Seasons for Growth programme, a targeted intervention for children and young people affected by bereavement and loss.
- Reconnector training sessions were held and attended by 43 Seasons Companions.
- Delivered in-person CLPL sessions for staff across the following themes:
  - attachment and nurture (70 primary based participants)
  - word aware and reciprocal teaching (30 primary probationer teachers)
  - restorative approaches (25 secondary probationer teachers)
  - Solution oriented meetings (30 ASN coordinators teachers from primary and secondary)
- Working collaboratively with Speech and Language Therapy colleagues, designed a 4 session training programme for early years practitioners on the '*Up up and away!*' inclusive learning and collaborative working programme. Delivered the training and coaching sessions across 8 early years centres.
- Piloted the use of the Let's Understand Anxiety Management (LIAM) intervention as a group approach for secondary pupils.

- Coordinated and chaired 'Experts in Action' peer support and skill development groups for Outreach Workers who offer parenting support to families with children 0-8 years.

### **Key Challenges from 2022/23**

#### **Policy, Performance & Resources**

- Implementation of digital change programmes (Enrolment and Transport)

#### **Children's Services**

- Implementation of United Nations Convention on the Rights of the Child.
- Delivering on the ASN estate expansion.

#### **Raising Attainment**

- Whilst strong progress has been made with outcomes and targets for excellence and equity there still remains a poverty related attainment gap and concerted efforts and resource are necessary to sustain the rates of progress and success achieved.

#### **Early Learning & Childcare**

- Maintaining high quality ELC at all funded providers to ensure that they meet the National Standard Criteria and the expectations of the statutory offer of 1140 hours for eligible 2 year olds and 3 and 4 year olds.
- Continuing to deliver 1140 hours curriculum by confident, well-trained ELC staff teams.
- We will continue to promote the ELCO career path and route to qualification in particular for men.
- Developing ASN provision at ELC for children with autism.
- Supporting ELC staff to provide inclusive practice for children with ASN.
- Review of ELC inspections and the development of the shared inspection framework and its impact on ELC.
- Maintaining the quality of our ELC assets and continued investment.
- Increase the number of school delivering One-ery approaches to play and learning.
- Deferred entry policy and its implications for the older age range of children attending P.1 and ELC; provide a programme of staff development and professional learning; continued development of play pedagogy and promote professional collaboration at early level.
- Delivery of the Best Start priorities and the key aspects of the vision, priorities and outcomes of the Best Start Plan including:
  - Benefits of 1140 hours expansion - outcome measures
  - Build a system of school age childcare

- A new offer for 1 and 2 year olds
- Sustainable, diverse, thriving sector and profession – Strategic Framework
- Fair funding and outcome frameworks
- Robust data
- Regulation of services and support for quality improvement

### **Educational Psychology**

- The complexity of need and therefore support required arising from mental health and well-being concerns and increasing number of children and young people identified as having an Additional Support Need (ASN).



### 3. Strategic Assessment

The Education management team completed a strategic assessment to determine the major influences on service delivery and priorities in 2023/24. These are summarised below.

#### Financial Challenges

The entire public sector is continuing to face significant financial challenges due to a range of factors including inflationary cost increases, rising utility costs and insufficient funding to support the delivery of front line and back office services. The Council are currently faced with an estimated cumulative funding gap in 2024/25 of £9.7m rising to £29.5m by 2027/28. We will continue to monitor the overall financial position of the Council and updates on estimated future budget gaps will be reported to Elected Members throughout 2023/24.

These challenges require further action to balance our budget and protect services for residents. This will mean available funding will be reduced over time and we will need to reconfigure how we work, what we do, where we work, and potentially reduce the number of people employed. In this context, we will aim to continue to provide a sustainable, quality service to internal clients and the public. In Education, this is always a significant area of challenge, as we are tasked with maintaining teacher numbers, which accounts for 57% of our annual spend.

#### Budget Sensitivity Analysis

In reviewing the service budget projections, consideration has been given to the sensitivity of these budgets, in particular for higher risk/ higher value budgets which may have a significant impact on budgetary control and future budget projections. The analysis has considered sensitivity around demand, costs and charges, and income levels. Two particular areas were identified as set out in the table below:

Budget Sensitivity Area	Rational
Teacher pay costs	Budget assumed 5% pay increase but actual award is 7.1%
Additional Support Needs residential placements	Given the high annual cost for such placements (an average £250k per annum) a small increase in the number of external placements can lead to a considerable overspend



## **National Improvement Framework (NIF)**

Scottish Government revised the National Improvement Framework in 2022, to be formed around five priorities. To aid delivery and reporting, our Delivery Plan will continue to be structured according to these priorities.

In 2023/24 we will:

- Place the human rights and needs of every child and young person at the centre of education
- Improve children and young people's health and wellbeing
- Narrow the attainment gap between the most and least disadvantaged children and young people
- Improve skills and sustained, positive school leaver destinations for all young people
- Improve attainment, particularly in literacy and numeracy

## **National Reform - outcome of Muir and Hayward Review**

In February 2022, Prof Ken Muir published his review into the national education agencies, recommending the formation or a replacement for Education Scotland, the Scottish Qualifications Authority and the formation of an independent Inspectorate, to be operational by 2024. In February 2023, Prof Louise Hayward published her interim findings of her review of assessment and qualifications in the Senior Phase.

In 2023/24 we will continue to liaise with national agencies in response to Muir Review, and begin to plan for our ability to implement recommendations of the Hayward review.

## **Action Plan**

The challenges identified in Section 2 and the key factors identified in Section 3 have informed Education priorities for 2023/24. Appendix 1 sets out the action plan to address them. While this shows the top level actions, there are a significant number of sub actions sitting below each.

The Plan also includes:

- performance indicators that will enable progress to be monitored and reported to stakeholders (targets for 2023/24 will be set once 2022/23 data becomes available); and
- strategic workforce actions to address workforce issues identified in the planning process.

In relation to the latter, strategic risks represent the potential for the Council to take advantage of opportunities or fail to meet stated strategic objectives and those that require strategic leadership. Service risks relate to service delivery and represent the potential for impact on individual services, or the experience of those who work within the services, i.e. employees, partners, contractors and volunteers or service users and clients in receipt of the services provided. In identifying the relevant risks for 2023/24 and actions to mitigate them, we aim to improve or maintain the current position (i.e. the current risk score) set out in the appendix.

## 4. Resources

### Finance

Education has a net revenue budget of £113.150m and a capital budget of £27.272m for 2023/24. A breakdown of the revenue and capital budgets are set out below. We will make the best use of the resources available to deliver on key priority areas and secure external/match funding where this is possible.

<b>Service Area</b>	<b>Gross Expenditure 2023/24 (£m)</b>	<b>Gross Income 2023/24 (£m)</b>	<b>Net Expenditure 2023/24 (£m)</b>	<b>Capital Budget 2023/24 (£m)</b>
Primary Schools	32.864	0.059	32.804	26.500
Secondary Schools	33.092	1.209	31.883	0.742
Special Schools	16.890	0.339	16.551	0.000
Psychological Services	0.680	0.073	0.607	0.000
Sport Development/Active Schools	0.627	0.000	0.627	0.000
Pre 5s	19.736	9.990	9.746	0.000
Cultural Services	0.758	0.131	0.627	0.000
PPP	17.259	0.758	16.501	0.000
Curriculum for Excellence	0.102	0.000	0.102	0.000
Central Admin	0.918	0.059	0.859	0.000
Workforce CPD	0.365	0.000	0.365	0.000
Performance & Improvement	0.504	0.051	0.453	0.000
Education Development	2.200	0.175	2.025	0.030
Scottish Attainment Challenge	1.448	1.448	0.000	0.000
Pupil Equity Fund - (PEF)	3.794	3.794	0.000	0.000
<b>Total</b>	<b>131.234</b>	<b>18.085</b>	<b>113.150</b>	<b>27.272</b>

### Employees

## Employee Numbers

The headcount and full time equivalent staff in each service area (as of 31<sup>st</sup> March 2023) are as follows:

Service Area – Support Staff	Headcount	FTE
Central ASN Support Service	33	24.50
Children and Young People	6	5.86
Early Years	481	396.55
Education Central Management	5	5
Education Development	14	13.10
Music Service	21	14.00
Performance and Improvement	5	5.00
Primary Schools	244	189.89
Psychological Services	12	10.20
Schools - Peripatetic	3	0
Secondary Schools	115	95.33
Special Schools and Units	117	91.87
Technician Services	20	17.50
Workforce CPD	9	7.20
<b>Total – Support Staff</b>	<b>1085</b>	<b>875.99</b>

<b>Service Area – Teachers</b>	<b>Headcount</b>	<b>FTE</b>
Central ASN Support Service	44	39.80
Primary Schools	486	444.87
Schools – Peripatetic	5	0
Secondary Schools	462	432.70
Special Schools and Units	79	73.30
<b>Total – Teachers</b>	<b>1076</b>	<b>990.67</b>
<b>Grand Total</b>	<b>2161</b>	<b>1866.66</b>

### Employee Absence

The 2022/23 quarterly absence figures for Education are shown below, together with the Council average for the same periods for comparison.

<b>Absence in 2022/23</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>	<b>Annual FTE days lost per FTE employee</b>
Education – Support Staff	4.37	2.29	5.07	4.51	14.24
Teachers	1.98	0.81	2.56	2.51	6.75
<b>Council wide Total</b>	<b>3.86</b>	<b>3.28</b>	<b>4.42</b>	<b>4.02</b>	<b>14.00</b>

## Appendix 1: Action Plan

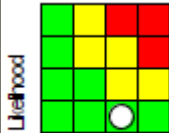
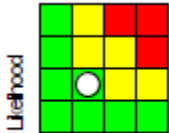
Please note, all 2023/24 targets will be finalised once year-end data for 2022/23 becomes available.

	Our communities
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	Our neighbourhoods are safe, resilient and inclusive
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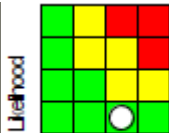
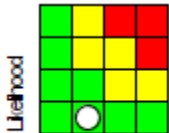
Performance Indicator	2023/24	Owner
	Target	
Cases of exclusion per 1,000 school pupils		Claire Cusick
School Attendance Rates (per 100 pupils)		Claire Cusick
School Attendance Rates for Looked After Children (per 100 Looked After Children)		Claire Cusick
School Exclusion Rates (per 1000 pupils)		Claire Cusick
School Exclusion Rates for Looked After Children (per 1000 looked after children)		Claire Cusick

Action	Due Date	Owner
Place the human rights and needs of every child and young person at the centre of education	30-Jun-2024	Claire Cusick

Risk	Description	Current Assessment	Target Assessment	Owner
Failure to place the human rights and needs of every child and young person at the centre of education	This risk concerns the delivery of UNCRC and ensuring these are integral to the planning, experiences and supports we offer children, young people and their families.	 Likelihood Impact	 Likelihood Impact	Claire Cusick

Ob	Our residents health and wellbeing remains a priority
----	---

Action	Due Date	Owner
Improve children and young people's health and wellbeing	30-Jun-2024	Claire Cusick

Risk	Description	Current Assessment	Target Assessment	Owner
Failure to improve children and young people's health and wellbeing	This risk concerns our ability to develop curriculum, opportunities and supports in collaboration with key stakeholders which will meet the wellbeing needs of our children, young people and families.	 Likelihood Impact	 Likelihood Impact	Claire Cusick; Kathy Morrison

Ob	Our residents are supported to increase life and learning skills
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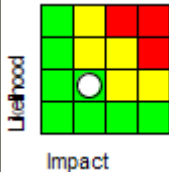
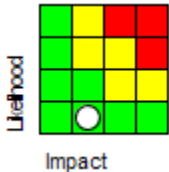
Performance Indicator	2023/24	Owner
	Target	
Percentage of children and young people achieving Curriculum for Excellence levels in literacy & numeracy		Julie McGrogan

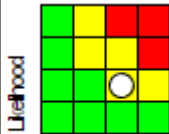
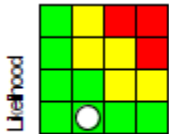


Performance Indicator	2023/24	Owner
	Target	
% of establishments delivering good or very good high-quality learning & teaching (Outcome of Improvement Framework)		Julie McGrogan
Percentage of school attendance		Andrew Brown
Percentage of 3 & 4 year old children at ELC achieving the benchmark in literacy and numeracy		Kathy Morrison
Percentage of ELC settings meeting the National Standard Criteria of good and above		Kathy Morrison
Percentage of pupils gaining 1 + awards at SCQF level 5		Andrew Brown
Percentage of pupils gaining 1 + awards at SCQF level 6		Andrew Brown
Percentage of S3 pupils achieving ACEL Third level+ in Literacy and numeracy		Julie McGrogan
Percentage of S3 pupils achieving ACEL Fourth in Literacy and numeracy		Julie McGrogan
Referrals and families engaged in family hubs		Claire Cusick
Percentage of educational establishments receiving positive inspection reports	100%	Julie McGrogan
% of pupils gaining 5 + awards at level 5		Andrew Brown
% of pupils gaining 5+ awards at level 6		Andrew Brown
% pupils in 20% most deprived areas getting 5+ awards at level 5		Andrew Brown
% pupils in 20% most deprived areas getting 5+ awards at level 6		Andrew Brown
Overall Average Total Tariff		Derek McGlynn
% of P1, P4 and P7 pupils combined achieving expected CFE Level in Literacy		Julie McGrogan
% of P1, P4 and P7 pupils combined achieving expected CFE Level in Numeracy		Julie McGrogan



Performance Indicator	2023/24	Owner
	Target	
Literacy Attainment Gap (P1,4,7 Combined) - percentage point gap between the least deprived and most deprived pupils		Julie McGrogan
Numeracy Attainment Gap (P1,4,7 Combined) - percentage point gap between the least deprived and most deprived pupils		Julie McGrogan
Percentage of pupils achieving expected levels in Writing by P7		Julie McGrogan
% of funded Early Years Provision which is graded good or better		Kathy Morrison

Action	Due Date	Owner
Narrow the attainment gap between the most and least disadvantaged children and young people	30-Jun-2024	Julie McGrogan
Improve attainment, particularly in literacy and numeracy	30-Jun-2024	Julie McGrogan

Risk	Description	Current Assessment	Target Assessment	Owner
Failure to narrow the attainment gap between the most and least disadvantaged children and young people	<p>This risk concerns the delivery of the key areas within the Scottish Government Strategic Equity Fund.</p> <p>This risk concerns the delivery of approaches to address the equalities gap and those with protected characteristics.</p> <p>This risk concerns the delivery of approaches to address the poverty related equity gap in all sectors.</p> <p>This risk concerns our ability to work successfully to collaboratively plan with a range of partners for successful delivery.</p>			Claire Cusick

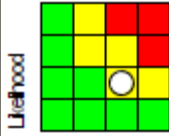
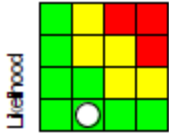
Risk	Description	Current Assessment	Target Assessment	Owner
Failure to improve attainment, particularly in literacy and numeracy	<p>This risk concerns the successful implementation of the four dimensions of the revised West Dunbartonshire Improvement Framework; 1. Collaborative Improvement 2. Enhanced Support 3. Enhanced Scrutiny and Support 4. Leadership Development.</p> <p>This risk concerns our ability to develop of the literacy and numeracy curriculum, opportunities and supports in collaboration with key stakeholders which will meet the needs of our children, young people and families.</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Julie McGrogan
Challenges in implementing broad-ranging school improvement to raise attainment and achievement	<p>This risk concerns the delivery of excellence and equity for our young people to support them to attain and achieve at the highest level. In particular, it is aimed at bridging the attainment gap and breaking the cycle of disadvantage. This also includes the focus on intervention at early years to improve life chances at all points on the learning journey.</p> <p>A key national and local priority is to accelerate progress with the aspirations to deliver improved attainment, tackle the poverty related attainment gap and recover from any negative impact of the pandemic. Scottish Equity funding devolved to local authorities aims to deliver on priorities between 2023-26.</p>	 <p>Likelihood</p> <p>Impact</p>	 <p>Likelihood</p> <p>Impact</p>	Julie McGrogan

	Our Economy
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	Our residents are supported to access employment and training opportunities
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Performance Indicator	2023/24	Owner
	Target	
Percentage of young people entering a positive destination		Andrew Brown
Participation Rate for 16-19 year olds (per 100)		Susie Byrne

Action	Due Date	Owner
Improve skills and sustained, positive school leaver destinations for all young people	30-Jun-2024	Andrew Brown

Risk	Description	Current Assessment	Target Assessment	Owner
Failure to improve skills and sustained, positive school leaver destinations for all young people	<p>This risk concerns the ability to expand course provision and revised learner pathways in the Senior Phase leading including for those young people with Additional Support Needs.</p> <p>This risk concerns our ability to work successfully to collaboratively plan with a range of partners for successful delivery.</p> <p>This risk concerns the development of a skills based approach to the curriculum within the BGE and Senior Phase.</p>			Andrew Brown; Julie McGrogan

 Our Council
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 Our workforce is resilient and skilled where digital technology supports service delivery for our residents
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Action	Due Date	Owner
Develop and implement wellbeing, employee engagement, equality and training plans to enable capabilities, improved resilience and promotion of a diverse workforce.	31-Mar-2024	
Develop and implement employee life cycle plans in line with the People First Strategy to attract and retain the workforce.	31-Mar-2024	
Implement service review process including role design, use of new technology and new ways of working to add resilience, address gaps, and establish opportunities for efficiencies	31-Mar-2024	Andrew Brown
Develop and implement training plans and development opportunities to improve capabilities and resilience within the workforce.	31-Mar-2024	