

Citizen Participation and Public Petitions Committee

11th Meeting, 2023 (Session 6), Wednesday
28 June 2023

PE1937: To give children the respect they deserve by providing options for privacy when changing for P.E.

Lodged on 17 May 2022

Petitioner Gillian Lamarra

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to to implement the option across all schools for primary school children to wear their P.E kit to school on the days they have P.E.

Webpage <https://petitions.parliament.scot/petitions/PE1937>

Introduction

1. The Committee last considered this petition at its meeting on [8 March 2023](#). At that meeting, the Committee agreed to write to the Scottish Government.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received a new response from the Cabinet Secretary for Education and Skills which is set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).

7. Every petition collects signatures while it remains under consideration. At the time of writing, 5 signatures have been received on this petition.

Action

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

Clerk to the Committee

Annexe A

PE1937: To give children the respect they deserve by providing options for privacy when changing for P.E.

Petitioner

Gillian Lamarra

Date lodged

17 May 2022

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to to implement the option across all schools for primary school children to wear their P.E. kit to school on the days they have P.E.

Previous action

I have contacted Humza Yousaf who agreed the current policy is outdated. I have also raised this issue with the previous and current head of education at Glasgow City Council.

Background information

Some schools brought the option to wear P.E. kit to school into play during COVID but have since reverted back. A lot of primary schools make children undress to their underwear in-front of the rest of the (mixed gender) class, and teacher. Whilst they encourage self respect, privacy and being aware of your body? Such a contradiction.

My family member had met their teacher once after going back to school after covid. They were asked to strip down to their underwear in order to participate in P.E. I teach them about privacy and being aware of THEIR body. My family member refused to do this for obvious reasons and was told that 'all the kids can't just go to the toilet to change'. I contacted my family member's school who agreed and changed their policy.

From there I put a message of concern on social media, the response I received was phenomenal and from that point I knew there needed to be change.

Annexe B

Extract from Official Report of last consideration of PE1937 on 8 March 2023

The Convener: PE1937, lodged by Gillian Lamarra, urges the Scottish Government to implement the option across all schools for primary school children to wear their physical education kit to school on the days when they have PE.

At our meeting on 28 September 2022, we agreed to write to the Convention of Scottish Local Authorities and the Children and Young People's Commissioner to seek their views on the action called for in the petition. I had not realised that it was as long ago as that; it seems fresher in my mind. In response, the commissioner set out their view that primary schools should adopt a flexible approach to policies on changing for PE classes. The commissioner's response also highlights long-standing concerns about other parts of the learning estate, such as school toilets. The response also suggests that, although different PE changing practices among primary schools may be justified, the Scottish Government should explore whether national guidance is required to help create some degree of consistency.

We have also received a response from COSLA that highlights that extensive work is under way across councils and schools to support the vision of a Scotland where children's human rights are embedded in all aspects of society and public services. COSLA goes on to state that local government believes that it would not be appropriate for the important matters raised in the petition to be subject to national-level policy or guidance, with schools best placed to determine the design and delivery of policy around wearing PE kits.

I imagine that the school estate across Scotland will be hugely varied, so some schools will find it easy to make different arrangements, while others will probably have to plan over a longer period to make such arrangements possible.

Colleagues, in the light of the submissions that we have received, what do you suggest would be an appropriate way forward?

Alexander Stewart: There is no doubt that COSLA has a strong case with reference to the estate, but the Children and Young People's Commissioner also gave us some suggestions. It might therefore be useful to not close the petition at this stage but seek more information. I suggest that we write to the Scottish Government to ask what consideration has been given to reviewing and updating the learning estate strategy in the light of the comments that the Children and Young People's Commissioner has made. That might give us further indication. I acknowledge what COSLA says and that the petition may not be able to progress after that, but, at this stage, it might be useful for us to get some of that information.

The Convener: Colleagues might agree with your suggestion. I was minded to close the petition, given the difficulties with the school estate, but I take your point. It may well be that, given the strength of expression from the Children and Young People's Commissioner, it would be useful to see the Scottish Government's response to that. I still think, however, that it is unlikely that it will choose to err on the side of a national directive, but it is worth seeing that response. Are we content to make that further inquiry?

Carol Mochan (South Scotland) (Lab): I just want to support Alexander Stewart. If the Children and Young People's Commissioner has indicated that there may be more that we can do, it would be useful to explore that to its end point.

The Convener: I am happy that we do so.

Members *indicated agreement.*

Annexe C

Cabinet Secretary for Education and Skills submission of 19 April 2023

PE1937/E: To give children the respect they deserve by providing options for privacy when changing for P.E.

Thank you for your letter of 22 March 2023 to Shirley-Anne Somerville, the then Cabinet Secretary for Education and Skills, regarding the [Learning Estate Strategy](#) (LES). I am replying as I am the new Cabinet Secretary for Education and Skills.

The Education (Scotland) Act 1980 places a statutory responsibility on all local authorities to manage and maintain their school estate. Therefore, the design and operation of schools - including changing and toilet facilities - is managed by local authorities to best suit their individual circumstances, and the needs of specific pupil cohorts.

At present, we do not have any plans to update the LES. However, the Scottish Government and Scottish Futures Trust remain committed to working closely with local authorities in relation to their school estate.

The LES underpins the £2 billion Learning Estate Investment Programme and sets out the strategic approach for managing Scotland's learning estate. It was co-produced by the Scottish Government and COSLA, and makes clear that learning environments should support the wellbeing of all learners and meet varying needs to support inclusion for all learners.

In addition, the LES highlights that good consultation about learning environments, direct engagement with learners and communities about their needs and experiences, and an involvement in decision making processes, should lead to better outcomes for everyone.

Yours sincerely,

JENNY GILRUTH