

Citizen Participation and Public Petitions Committee

3rd Meeting, 2024 (Session 6), Wednesday
21 February 2024

PE2051: Improve the processes for protecting children and young people from traumatic incidents

Petitioner	Dianne Youngson
Petition summary	Calling on the Scottish Parliament to urge the Scottish Government to: <ul style="list-style-type: none">• establish a consistent and transparent reporting mechanism for incidents affecting the health of pupils in schools;• review and improve upon the existing guidelines for schools in dealing with at-risk pupils;• place in law monitoring of reporting mechanisms with ultimate responsibility being placed with Scottish Ministers and local authorities; and• reform the exclusions procedure to include consideration of whether exclusions may cause further harm.
Webpage	https://petitions.parliament.scot/petitions/PE2051

Introduction

1. This is a new petition that was lodged on 3 October 2023.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 173 signatures have been received on this petition.

5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered. A response has been received from the Cabinet Secretary for Education and Skills and is included at **Annexe C** of this paper.
6. The Scottish Government held a series of summits on relationships and behaviour in schools. The Cabinet Secretary provided an update on this work to parliament on [Wednesday 29 November 2023](#) and announced that a joint action plan will be developed to address the issues raised.

Action

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

Clerk to the Committee

Annexe A

PE2051: Improve the processes for protecting children and young people from traumatic incidents at school

Petitioner

Dianne Youngson

Date Lodged:

03 October 2023

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to:

- establish a consistent and transparent reporting mechanism for incidents affecting the health of pupils in schools;
- review and improve upon the existing guidelines for schools in dealing with at-risk pupils;
- place in law monitoring of reporting mechanisms with ultimate responsibility being placed with Scottish Ministers and local authorities; and
- reform the exclusions procedure to include consideration of whether exclusions may cause further harm.

Previous action

Now living in North East Scotland, I contacted my constituency MSP Alexander Burnett to discuss issues around school bullying and violence against children and young people. Mr Burnett and his office have been supporting me in gathering information about under-reporting, based on incidents reported through casework.

Background information

I was 14 years old when I attempted to take my own life on school grounds. Despite the teachers becoming aware no medical help was sought and no support was given to me by the school. I was left sitting in a classroom cupboard for the day.

After being discharged from hospital I was told that I was 'unofficially excluded' for a few days to 'get myself together'. The school chose to conceal the incident and asked me not to speak about it.

I have spent 20 years trying to come to terms with the incident and have experienced distressing mental repercussions as a result

More recently, I read an article about other unreported incidents at my former school and concluded that it was time to campaign to bring change and create a safe environment for our children and future generations.

Annexe B


 SPICe


 The Information Centre
An t-Ionad Fiosrachaidh

Briefing for the Citizen Participation and Public Petitions Committee on petition [PE2051](#): Improve the processes for protecting children and young people from traumatic incidents, lodged by Dianne Youngson

Brief overview of issues raised by the petition

The petition appears to be focused on how schools and local authorities address traumatic incidents in schools and their recording practices.

The petition is not entirely clear about the kinds of incidents it is concerned about. However, under the “Previous action taken” section the petition refers to “issues around school bullying and violence against children and young people”. Under the “Background information” section, the petition refers to a significant mental health episode. This briefing will focus on policy around bullying and mental health and wellbeing in schools.

Health and Wellbeing in the Curriculum and GIRFEC

There has been a trend in the past decades of increasing policy and practice focus on supporting health and wellbeing. It is beyond the scope of this paper to list all the work in this area; some key examples are set out below.

Health and Wellbeing is a key area of Curriculum for Excellence and is one of the three curriculum areas considered to be the responsibility of all practitioners (the other two are literacy and numeracy).

The [Scottish Government’s Mental Health Strategy](#) included the ambition that every child and young person should have appropriate access to emotional and mental wellbeing support in school. Following

the strategy, the Scottish Government has funded access to counsellors in every secondary school.

Getting it Right for Every Child (“GIRFEC”) is intended to be a holistic, and where necessary multi-agency, approach to support wellbeing, as defined by the SHANARRI¹ indicators. The [Government says](#), “GIRFEC is about enhancing the wellbeing of all children and young people as well as building a flexible scaffold of support: where it is needed, for as long as it is needed.”

Additional Support for Learning

A pupil has additional support needs if, for whatever reason, they are unlikely to be able to benefit from school education without additional support. The Education (Additional Support for Learning) (Scotland) Act 2004 provides that education authorities identify the additional support required by every child for whose school education it is responsible and “make adequate and efficient provision” for those children.

Legislation does not list any particular conditions or type of need, except that there is a presumption that looked after children are considered to have additional support needs. [Statutory guidance on the 2004 Act](#) provides a non-exhaustive list of conditions, and statistics are gathered on the reasons for schools providing additional support.

A pupil with mental health needs would likely be considered to be an additional support need and the local authority would therefore be required to support this need, perhaps alongside the health service.

Where necessary or required, there are a variety of planning mechanisms employed by local authorities to ensure that the necessary support is provided to pupils. These plans will have records associated with them. More broadly the local authority is expected to keep appropriate records for planning and monitoring purposes where additional support is provided.

Bullying and the recording of bullying incidents

The current Scottish Government guidance on bullying [was published in 2017](#). This guidance seeks to “ensure that all sectors and communities,

¹ SHANARRI is an acronym for: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, and Included.

at a national and local level, are consistently and coherently contributing to a holistic approach to anti-bullying; regardless of the type of bullying.”

Recording of bullying incidents is seen as an important part of addressing bullying behaviour. Following the publication of the 2017 guidance, the Scottish Government set up a Recording and Monitoring Bullying Incidents in Schools working group. The purpose of this group was “to develop a consistent and uniform approach to recording and monitoring that all schools and local authorities could adopt using the Bullying and Equalities module within SEEMiS, the schools' information management system.”

Since August 2019, all schools and local authorities have been expected to use the Bullying and Equalities module within the SEEMiS system to record and monitor bullying incidents.

Education Scotland undertook a national thematic review of the approaches to recording and monitoring incidents of bullying in schools; [it published a report on this work in April 2023](#). This found that staff in schools “are committed to creating a safe and secure environment where bullying is openly acknowledged, discussed and challenged as unacceptable behaviour” and that “in almost all schools, staff provide appropriate support to children and young people who both display and experience bullying behaviours.” It also found—

“School leaders recognise the value of recording incidents of bullying, and the majority are using the nationally agreed process through the BEM within SEEMiS. However, they describe finding the BEM module challenging to use and some schools are not fully implementing national guidance. This is leading to inconsistency in both the use of the BEM module and the recording of bullying incidents. There is now a need for partners to review the functionality of the BEM to make it more practical for schools to record and monitor incidents of bullying.”

In Autumn 2023, the [Scottish Government is convening a “summit”](#) on how to tackle incidents of violence in schools.

Guidance on exclusions

Local authorities have the power to exclude children and young people from school. The Schools General (Scotland) Regulations 1975 set out the grounds for excluding a pupil and the process education authorities must follow. Exclusions here mean both temporary exclusions and

being permanently removed from a school roll. The 1975 regulations state—

“An education authority shall not exclude a pupil from a school under their management to which he has been admitted, except where:

(a) they are of the opinion that the parent of the pupil refuses or fails to comply, or to allow the pupil to comply, with the rules, regulations, or disciplinary requirements of the school; or

(b) they consider that in all the circumstances to allow the pupil to continue his attendance at the school would be likely to be seriously detrimental to order and discipline in the school or the educational well-being of the pupils there.”

An exclusion does not affect the right of the child to education and education authorities' duties to ensure the provision of school education, albeit this might be through alternative provision.

The Scottish Government published [guidance on managing school exclusions in June 2017](#). Three of the guiding principles of this guidance are:

- exclusion should be the last resort;
- where exclusion is used, it should be as a proportionate response where there is no appropriate alternative and the wellbeing of the child or young person should be the key consideration; and
- exclusion must be for as short a period as possible with the aim of improving outcomes for the child or young person. The time during and after the exclusion period should be used constructively to resolve the situation and ensure positive and appropriate support is in place for all.

Ned Sharratt
SPICe Researcher

25/10/2023

Annexe C

Cabinet Secretary for Education and Skills submission of 23 January 2024

PE2051/A: Improve the processes for protecting children and young people from traumatic incidents

Thank you for the opportunity to provide the Scottish Government's views on the action called for within Petition PE2051 to improve the processes for protecting children and young people from traumatic incidents.

I was sorry to hear of the petitioner's experiences and the impact this has had on her. I hope the below illustrates the progress that has been made over the last 20 years in putting a focus on wellbeing at the heart of the Scottish education policy landscape and curriculum, and therefore addresses the actions the petitioner is calling for.

Under Curriculum for Excellence, along with literacy and numeracy, health and wellbeing is one of the three core areas that are the responsibility of all staff in the school. This means all adults working in schools are responsible for supporting and developing children and young people's mental, emotional, social and physical wellbeing to support successful learning and happy lives.

Scottish Government policy emphasises the importance of having a relationship policy in each school. Education Scotland's Rights, Support and Wellbeing Team advocate a relationship-based approach to all local authorities and make explicit links between this and positive outcomes in attainment. One of the key approaches that is supported within Local Authorities is a nurturing approach and this is reflected in key Scottish Government guidance such as ['Developing a positive whole school ethos and culture: relationships, learning and behaviour'](#).

Scotland's 'Getting it right for every child approach' (GIRFEC) provides Scotland with a consistent framework and shared language for promoting, supporting and safeguarding the wellbeing of children, young people, and families. The National Practice Model under 'Getting it right for every child' provides a structure to support practitioners, working together with children, young people and families, to make effective use of assessment information including the [statutory guidance](#) around assessing children and young people's wellbeing.

One of the core components of 'Getting it right for every child' is the named person, who is a clear point of contact for children, young people and families to go to for support and advice. A named person can also connect families to a wider network of support and services so that they get the right help, at the right time, from the right people. For school-aged children the named person is usually a headteacher or senior teacher.

We know that the health and wellbeing of every child and young person is greatly enhanced through the individual support and pastoral care which they receive through having an identified member of staff who knows and understands them and can support them in facing changes and challenges and in making choices. School staff already have a wide range of approaches and strategies in place to support children and young people's mental health. Education Scotland also provide tools and guidance for school staff to further strengthen support to children and young people. Educational psychologists also work to help children and young people experiencing problems that affect their learning. They build capacity in schools to support children with additional support needs.

On 26 October 2023, the Scottish Government published the '[Getting It right for every child' \(GIRFEC\): Child's Plan Practice Statement](#) which compliments the guidance series published in September 2022 to help and support practitioners and managers embed and implement 'Getting it right for every child' into their everyday practice.

The non-statutory GIRFEC child's plan remains an important element in the ways children's and related services can work in a co-ordinated way to support the wellbeing of children, young people and their families. Using the 'Getting it right for every child' approach, practitioners and

lead professionals should support a child or young person's wellbeing by working alongside them and their family, and other practitioners involved in supporting their learning.

The Committee will also be aware that all local authorities have counselling services in place through secondary schools, which is available for children 10 years and over. Counselling is just one of a range of mental health supports available and can help children and young people explore, understand and overcome issues in their lives and improve resilience.

To further support schools, June 2021 we published a new professional learning resource for school staff. The resource provides essential learning required to support children and young people's mental health and wellbeing. Although aimed at school staff, the resource is free and available to anyone who wishes to access it at: [CYPMH – Professional Learning Resource](#).

In August 2021, we also published a Whole School Approach Framework which provides practical measures that a school and a local authority can use to support children and young people's mental health and wellbeing: [Mental health and wellbeing: whole school approach: framework - gov.scot \(www.gov.scot\)](#). The Framework is clear that a whole school approach to mental health and wellbeing also links well with whole school relationship-based and nurturing approaches and is trauma-informed.

In relation to at-risk children, in August 2023, we updated our [National Guidance for Child Protection in Scotland](#). The guidance describes the responsibilities and expectations of everyone who works with children and young people, and emphasises the key role that the education workforce have in the support and protection of children. All staff working in education establishments have a key role in the support and protection of children and young people and all staff must be aware of, and must follow, child protection procedures.

Finally, in 2017, we updated our national guidance on school exclusions: [Included, engaged and involved part 2: preventing and managing school exclusions - gov.scot \(www.gov.scot\)](#). This gives a stronger focus on supporting positive behaviour and approaches that can be used to prevent the need for exclusion. The guidance is clear that exclusion should be used as a last resort, and should be a proportionate response

where there is no appropriate alternative. The wellbeing of the child or young person should be the key consideration. The guidance states that all exclusions from school must be formally recorded, and children and young people must not be sent home on an 'informal exclusion' or sent home to 'cool-off.'

I hope the Committee finds the information in this letter helpful and that the Committee is reassured that supporting the mental health and wellbeing of children and young people is an absolute priority for the Scottish Government.

Jenny Gilruth MSP