

Public Sector Equality Duty and Corporate Parenting – Annual Progress Report for April 2017- August 2018

Foreword

I am delighted to share Education Scotland's: *Public Sector Equality Duty and Corporate Parenting – Annual Progress Report for April 2017- August 2018*. Education Scotland is required to mainstream its Equality Duties integrating them into our day-to-day work, and take account of the duties in all our programmes, approaches and interventions.

I recognise and value the work my organisation does in helping to create inclusivity and tolerance across the educational community of Scotland and internationally. We know equity for all can only be achieved through an education system that values individuals emphasising the importance of the work shared in this report.

However, we are not complacent. Moving forward, Education Scotland will continue to play a full role in promoting equality. We know that more needs to be done.

Gayle Gorman
Chief Executive
Education Scotland

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Part 1 Context of this report

Introduction

Education Scotland is required to mainstream¹ the Equality Duty as defined in the Equality Act 2010. This supports us in delivering our commitment to delivering excellence and equity in Scottish education. We are required to integrate equality into our day-to-day work and take account of the duties in all our programmes, approaches and interventions.

Our Vision for Equality (Equality Strategy 2017)

Education Scotland is committed to equality for all. Our vision is to be leaders in ensuring equality for all and modelling practices in eliminating discrimination, promoting equality and diversity and addressing inequity in all aspects of our work.

The introduction of the Equality Act 2010 (Act) harmonised a range of existing legislation and policy. The Act introduced a new public sector equality duty which replaced duties relating to race disability and gender. Secondary legislation was introduced in 2012 implementing “specific duties.”

The purpose of the legislation is to ensure that public bodies consider how they are positively contributing to a more equal society through advancing equality and good relations in their daily functions. In particular:

- taking effective action on equality;
- making the right decisions, first time round;
- developing better evidence based policies and practice; and
- being more transparent, accessible and accountable and deliver improved outcomes for all.

The purpose of the Equality Duty of Education Scotland

The purpose of the public sector equality duty is to ensure that Education Scotland and other public bodies comply with equality legislation appropriate to its role as employer, training provider, educational improvement agency and scrutiny body.

The legislation outlaws direct discrimination (including discrimination by association, perception and arising from a disability), indirect discrimination, harassment and victimisation because of the protected characteristics of; age (not under 18); disability; gender; gender reassignment; marriage and civil partnerships; pregnancy and maternity; race (including colour, nationality, ethnic or national origin); religion or belief and sexual orientation.

Education Scotland will continue to play a full role in promoting the Scottish Government’s public sector equality duties. We will make a key contribution to the Scottish Government’s equality outcomes for 2017-2021 detailed within the **Scottish Government Equality Outcomes and Mainstreaming Report, 2017.**

¹ *Mainstreaming equality simply means integrating the general equality duty into the day-to-day working of an organisation.*

A key outcome (amongst others) for Education Scotland is:

School education, Outcome: Within the longer-term outcome that every child and young person should thrive and have the best opportunity to succeed regardless of their social circumstances or additional needs, there will be progress by 2021 in the educational experience of those for which evidence indicates their success will be impacted negatively due to a protected characteristic.

Corporate Parenting

The Children and Young People (Scotland) Act 2014 ('The Act') Part 9, which came into effect on 1 April 2015, makes specific provision for care experienced children and young people, thereby, providing a legislative framework for corporate parenting. Education Scotland is named (under Ministers) as being a corporate parent. As a corporate parent, Education Scotland must publish a plan setting out how it will meet its corporate parenting duties and publish a report which shows the actions taken to meet its substantive duties. The Act states clear expectations on organisations.

Corporate Parenting Duty on Education Scotland

The Act provides a clear statement on what is expected of organisations in terms of corporate parenting duties.

"an organisation's performance of actions necessary to uphold the rights and secure the wellbeing of looked after children or care leavers, and through which physical, emotional, spiritual, social and educational development is promoted."

Action 16 in our Corporate Parenting Plan 2017-2020 gives the commitment to replicating the approach in the Developing Young Workforce (DYW) to including care experienced as an additional protected characteristic within all Education Scotland's equality work including Equality Impact Assessments. As part of this commitment, this report includes a focus on care experienced children and young people.

Who We Are and What We Do

We are the Scottish Government executive agency with a national role to support quality and improvement in all sectors of Scottish education, at all stages of the learners' journey from early years to adult and continuing education. More information about our role and remit can be found in our [Framework Document](#).

The Education Governance: Next Steps document, published in June 2017 provides Education Scotland with a significantly enhanced role and purpose including:

- a strengthened inspection and improvement function. Inspection will be a crucial tool that supports the system-wide goal to continuously improve;
- a renewed focus on professional learning and leadership, providing clarity and coherence to the national landscape; and

- delivery via the new regional improvement collaboratives - this will mean that hands on advice, support and guidance can flow directly to schools to support improvement.

We work with education providers to build capacity to improve their performance continuously through:

- providing independent evaluation of education provision through inspection;
- promoting and providing high quality professional learning and leadership development; and
- providing improvement support primarily through the use of inspection evidence to share best practice.

Education Scotland's Programmes and Core Areas

Education Scotland's programmes and core activities related to the reporting period for this report (April 2017-August 2018) cover eight priority programmes and a variety of areas of core business:

- Delivering the Scottish Attainment Challenge (SAC)
- Implementing the National Improvement Framework (NIF)
- Families and Communities and Parental Engagement and Involvement (FCPEI)
- Inclusion and Equality (I&E)
- Local Authorities and Regional Improvement Collaboratives Scrutiny and Capacity Building (LARICs)
- International
- Establishment / Service Inspection and Review Activities (Inspection)
- Community Learning and Development (CLD)
- Developing Employability, Creativity and Skills (DECS), including STEM
- Ensuring the Impact of Curriculum for Excellence (CfE)
- Scottish Learning Festival (SLF) / Scottish Education Awards (SEA)
- Embedding Digital Literacy and Learning (EDLL)

One of the key aspects of supporting this work is for the organisation to work collaboratively across its various functions and service delivery to identify, gather and collate information to demonstrate how we deliver equality and corporate parenting for the protected characteristics groupings and care experienced learners. Education Scotland is required to audit its progress against the equality outcomes and objectives stated in Education Scotland's Equality Strategy. The exercise outlined in this report is designed to provide information on how well activities are supporting the groups with protected characteristics or are care experienced.

How will we share our progress?

This report delivers on our commitment to publish an annual equality outcomes and mainstreaming report and to include corporate parenting. This provides evidence of progress in mainstreaming equality and delivering on our corporate parenting duties over the last year. To help us identify the range of work we deliver on mainstreaming equalities and delivering on our corporate parenting duties, we completed an audit across our core and priority programmes for the time period of April 2017 to August 2018.

Part 2: Progress Reports from key Programmes

This section of the report provides evidence related to our progress in delivering on our equality outcomes, objectives and actions within our Equality Strategy and Action Plan, in particular:

Scottish Government Equality Theme: School Education (Outward)

Outcome: Within the longer-term outcome that every child and young person should thrive and have the best opportunity to succeed regardless of their social circumstances or additional needs, there will be progress by 2021 in the educational experience of those for which evidence indicates their success is impacted negatively due to a protected characteristic.

Objective: Increased educational practitioners' understanding of equality and diversity has contributed to improved practices which lead to narrowing achievement gaps of targeted groups of learners from protected characteristic groups.

Scottish Government Equality Theme: Mental Health (Outward)

Outcome: Over the 10 years of the Mental Health Strategy, we will work on achieving parity between mental and physical health.

Objective: Improved practices which lead to narrowing achievement gaps of targeted groups of learners from protected characteristic groups by supporting the implementation of the Mental Health Strategy.

Scottish Government Equality Theme: Hate Crime (Outward)

Outcome: People feel increasingly confident in reporting hate crime when they experience it or witness it; and the prejudicial attitudes that drive hate behaviours are reduced.

Action: We will support the implementation of the ESOL (English for speakers of other Languages) Strategy (race).

Action: We will contribute to the development of the disability action plan which includes a commitment to tackling disability hate crime.

Scottish Government Equality Theme: Violence Against Women and Girls (Outward)

Outcome: Violence against women and girls is reduced, along with the harms of gender based violence on women and their children.

Action : We will contribute to the delivery of the Mentors in Violence Prevention Programme by engaging new local authorities in the development and delivery (**Gender**)

A further report will be published in collaboration with Scottish Government and the new Education Equality officer (when appointed) which focuses on:

Scottish Government Equality Theme: Employment (Inward)

Outcome: Employment inequalities, discrimination and barriers are reduced. Employment opportunities for women and ethnic minorities are increased and progress made towards reducing, by at least half, the employment gap between disabled people and the rest of the working age population.

Outcome: The Scottish Government's workforce increases in diversity to reflect the general Scottish population by 2025.

The following evidence relates to our progress in delivering on the following equality outcomes and objective:

Scottish Government Equality Theme: School Education (Outward)

Outcome: Within the longer-term outcome that every child and young person should thrive and have the best opportunity to succeed regardless of their social circumstances or additional needs, there will be progress by 2021 in the educational experience of those for which evidence indicates their success is impacted negatively due to a protected characteristic.

Objective: Increased educational practitioners' understanding of equality and diversity has contributed to improved practices which lead to narrowing achievement gaps of targeted groups of learners from protected characteristic groups.

Programme: Delivering the Scottish Attainment Challenge (SAC)

- Pupil Equity Funding is now allocated to 95% of schools in Scotland. The [National Operational Guidance 2018](#) and grant terms and conditions of use of this funding require that schools should promote equity by taking into account learners with protected characteristics when planning support and interventions.
- Tools and resources on the National Improvement Hub include examples of effective interventions that apply to all children and young people, including those learners with protected characteristics. This includes updated examples on the Interventions for Equity framework and Scottish version of the Education Endowment Framework (EEF) Teaching and Learning Toolkit.
- Evidence is also emerging from SAC activity to demonstrate that reasonable adjustments (Equality Act) are being made to support children and young people with protected characteristics. For example, investment in speech and language development, additional support for speakers of English as an Additional Language, and/or funding educational psychologists, counsellors and nurture bases. Evidence from the interim evaluation of the Challenge shows that, whilst participants in the Schools Programme favoured targeted approaches, there was still a considerable number of interventions that were universally targeted and a smaller number of interventions were targeted according to another criteria; for example, pupils with additional support needs or English as an additional language.

- The Care Experienced Children and Young People Fund is also being provided through the Attainment Scotland Fund. This funding stream was launched in 2018. This funding will offer targeted initiatives, activities, and resources, that will improve the educational outcomes of this group of disadvantaged young people. The funding will benefit a wide group, with care experienced children and young people from birth to the age of 26, being eligible for the fund.

Impact: We recognise that poverty is not a protected characteristic. However, the interventions being developed will positively impact on all children and young people including those with protected characteristics. Through the intense focus of our work on the poverty related attainment gap, we ensure that this does not result in unintended consequences and result in an increase in inequity elsewhere. Our increased national focus on raising attainment and closing the gap between care experienced children and young people and their peers will result in improved outcomes for care experienced learners.



Programme: Inclusion and Equality

Collaboration through professional networks

- Education Scotland engages with a wide range of equality groups, representing stakeholders across the protected characteristics. Our revitalised Equality and Diversity Network is an external group whose members include Scottish Government, Equality and Human Rights Commission, Coalition for Racial Equality and Rights, Inclusion Scotland, Stonewall, LGBT Youth, TIE, Scottish Refugee Council, BEMIS, Respectme, Show Racism the Red Card, the Educational Institute for Scotland, CELCIS and Glasgow City Council.
- Education Scotland worked with equality partners to deliver a professional development day to both corporate and educational staff within Education Scotland. The day comprised of keynote speeches and workshops exploring a variety of topics related to understanding and promoting equality.
- Education Scotland offers professional advice to a number of other networks and working groups which promote equality for children and young people. These include groups supporting Armed Forces families, those requiring Augmentative and Alternative Communication or LGBT young people.

Impact: The Equality and Diversity Network offers advice to Education Scotland in respect of diversity and equality, and collaborates on specific projects. More recently this has involved consulting them on our new Equality Strategy and Policy and corporate parenting plan. Network participants are also involved in advice and guidance about curricular developments, such as health and wellbeing benchmarks, and in reporting to Education Scotland aspects of research and campaigning linked to equalities. Education Scotland has an Inclusion Group drawn from practitioners, which aims to consider developments in inclusive learning and how Scottish education can consider new approaches to inclusion. Feedback from staff found that 67% 'agreed' or 'strongly agreed' that their awareness of



equality and diversity legislation had increased and 57% of staff 'agreed' or 'strongly agreed' that their awareness of protected characteristics had increased.

Support the development of positive relationships in schools and early learning and childcare settings

- Education Scotland contributes to the development and implementation of policies such as [Developing a positive whole-school ethos and culture – Relationships, Learning and Behaviour](#) and [Included, Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusions](#) and [Included, Engaged and Involved Part 1: A positive approach to supporting and managing attendance](#) in schools through support to local authorities and through continuous professional learning.
- We provide professional learning in approaches which support positive relationships in schools:
 - Restorative approaches , for example, [peer mediation](#)
 - Solution Oriented Schools
 - [Whole school nurturing approaches \(including links to Adverse Childhood Experiences\)](#)
 - [Children's Rights and learner participation](#).
- We work in partnership with the national agency Respectme to promote the policy [Respect for All](#), Scotland's anti-bullying strategy which includes a section on prejudice-based bullying. Support the introduction of the guidance on recording and monitoring of bullying in schools.

Impact: Schools are developing an ethos and climate where all children and young people; parents and carers and staff are valued and included and this will promote the equality of all of those with protected characteristics. Schools are using an increasing range of strategies and approaches that promote inclusion and diversity and recognise the rights of all children and young people. By specifically recognising children's rights, schools are increasingly taking into account those which specifically support children and young people with protected characteristics, e.g. Articles 14, 22, 23 and 30.



Promoting equality practices

- Education Scotland provides high quality support and guidance to educational establishments on how to deliver their duties on equality and diversity. This includes a regular inclusion e-bulletin sent directly to over 4000 subscribers informing them of the work of the organisation and provides helpful links to new professional learning materials, resources and guidance.
- We populate the National Improvement Hub (Hub) with a range of resources which promote equality and diversity. Examples include:
 - [Anti-sectarian resources](#)
 - [The Golden Rule](#)
 - [The Heritage and Inclusion Project](#)
 - [Glasgow Girls - Campaigning for the rights of asylum seekers](#)
 - [Learning journey: A celebration of gypsy/traveller communities in Scotland](#)
 - [Heritage and Inclusion Project - Supporting young women from Black, Minority, Ethnicity \(BME\) backgrounds in secondary school](#)
 - [Addressing Inclusion - Effectively Challenging Homophobia, Biphobia and Transphobia](#)
- Education Scotland is currently collaborating with a range of stakeholders to review and quality assure race equality materials which will then be made available on the Hub.
- We facilitate a national network of Young Ambassadors for Inclusion who are young people who require additional support and who are supported to give their views on how to make education more inclusive. They have created a film about their experiences and professional learning materials have been developed to promote more inclusive practice in schools
- Online professional learning modules have been produced to promote inclusion. The module Introduction to Inclusive Education has recently been made available to education staff. A further module Inclusion in Practice is currently being developed in partnership with the University of Edinburgh and Edinburgh City Council.

Impact: The inclusion e-bulletin is responsible for a spike in the number of visitors to inclusion materials on the National Improvement Hub (Hub). Initial indicators for the numbers accessing the Inclusion Module show promise but it is too early to measure impact. The Young Ambassadors have influenced policy, through advice to ASN Tribunal members and their film has the potential to influence attitudes and practice. A wide range of materials is now available on Hub. Audits of views per page on the Hub are carried out periodically and have provided evidence of good use of the Equality and Inclusion related pages.

- Education Scotland is supporting the Scottish Government's refugee integration strategy by being a member of both the Education and Language theme groups and taking forward actions identified for each theme.
- The Learner Participation in Educational Settings 3-18 resource was published in April 2018 alongside further resources and supports to support the implementation of the guidance. These include: an implementation framework; an introductory presentation and 5 video case studies. A report of the pilot of this guidance has also been produced which explores the ways in which early learning and childcare centres and schools have implemented this guidance to support a range of children and young people.
- In order to ensure further support and specifically take account of the needs of particular groups of children and young people and school context, a learner participation professional learning resource is being developed to be delivered to practitioners and further links and materials are being developed for the Hub. Links will be made where possible to promoting the participation of a range of young people with specific protected characteristics such as religion and belief and disability and will also include those children who are care experienced.

- A case study of a secondary school has been developed with a range of materials and videos demonstrating the school's journey towards inclusion. Highlighted are the leadership roles given to learners to improve the experiences of young LGBT learners and those with dyslexia and the importance of the move away from a behaviour policy to a relationships framework. This case study will be on the Hub in Autumn 2018.



Impact: A wider range of children and young people are being given the opportunity and support to participate in the life of the school, including all of those children and young people with protected characteristics. Specific support is available to support individual children with a protected characteristic, e.g. communication aids to support those with a disability; and, adherence to cultures and traditions of specific religious groups to enable them to fully participate in school life.

- The Compassionate and Connected Community professional learning resource is nearing completion and will be delivered to pilot local authorities in October. The content of this resource focuses specifically on supporting schools to understand the impact of adversity and trauma on children and young people and develop ways to support them. This will clearly take account of children and young people with a range of additional support needs including those with social and emotional needs and those who are care experienced and this will be explicitly referred to in a number of activities and case studies. Reference will also be made to children and young people who are refugees and asylum seekers in order to take account of their specific needs.
- Ongoing guidance and support around the links between nurturing approaches; Adverse Childhood Experiences and trauma informed practice has been taken forward. Making these links more explicit can help practitioners to see the specific needs of groups of children and young people who have experienced adversity and trauma as a result of their protected characteristics such as disability; religion or belief including those who are care experienced.

Impact (both of the above): Practitioners recognise the impact that early adversity and trauma can have on children and young people and can recognise how to support them. This includes recognising the needs of specific children and young people with protected characteristics such as disability (including care experienced) and religion or belief.

Working with the European Agency for Special Needs and Inclusive Education (EASNIE)

- Education Scotland provides the Representative Board member for Scotland for the in European Agency in Special Needs and Inclusive Education (EASNIE). Scotland is an active and participative member of EASNIE.
- The EASNIE is an independent and self-governing organisation established by 32 member countries to act as their platform for collaboration regarding the development of provision for learners with special educational needs across Europe.

- Collaboration with the EASNIE has included participating in a peer learning event in Malta on ET 2020 Working Group on Citizenship: Inclusive education as the most effective means for preventing social exclusion in today's diverse society in May 2017.
- Scotland is also contributing to Structural Reform Support Service for Cyprus 2018. The European Commission has asked the Agency to act as 'technical body' for supporting the activity in Cyprus. It follows the request by the Ministry of Education in Cyprus to prepare a new legislative framework on special needs and inclusive education.

Impact: Our work is impacting positively including in influencing policy review e.g. in relation to mainstreaming education for those with disabilities; promoting Scotland's inclusion and equality profile internationally; Scotland is providing leadership in influencing project direction and in sharing inclusion and equality practices across European countries; and learning from EASNIE research analysis has contributed to discussions on the governance review.

Programme: Implementing the National Improvement Framework (NIF)

- Education Scotland staff undertook quality assurance of assessment items to ensure these were culturally and linguistically appropriate for learners in Scotland. This includes quality assurance of questions in Gaelic medium education (GME) for disability, race, ethnicity and gender.
- A group focussed on implementation of Scottish National Standardised Assessments (SNSA) for learners requiring additional support in line with equality legislation. Requirement to meet the equality legislation was included as part of the standardised assessment for GME tender
- Quality assurance of materials used for moderation events to ensure compliance with equality legislation.
- We have been preparing from December 2018 to report through the NIF evidence bank data of care experienced children and young people. This will result in new actions in the NIF Improvement Plan 2019.

Impact: Several questions were either rejected or modified to ensure these were culturally and linguistically appropriate for cohorts of learners requiring additional support. Advice was provided to influence SNSA delivery for learners requiring additional support with their learning. Overall this has ensured that the assessment are more accessible for those with protected characteristics and includes GME.

Programme: Establishment / Service Inspection and Review Activities (Inspection)

- Inspections of a few primary school identified that their curriculum models were examples of good practice and worthy of sharing with others, with the aim of building capacity and supporting other primary schools to improve their curriculum. This included a focus on equality and how these schools are planning their curriculum models to ensure barriers to learning were identified and removed. The Headteachers shared how they support learners with protected characteristics to develop and learn across the life of the school. Case studies of the schools have been written to help build capacity by highlighting high leverage activities and will be on the Hub soon.

The primary and secondary curriculum case studies will be published on the National Improvement Hub in Autumn 2018. They will raise awareness and highlight the need for:

- schools to make use of robust self-evaluation and reflection to ensure their curriculum considers fully the protected characteristics and the needs of care experienced children;
 - curriculum models which take full account of national and local guidance, as well as a school's unique context in relation to promoting equality and consideration of care experienced children and the protected characteristics;
 - curriculum models which consider how schools equip all children with skills for learning, life and work, and the best possible post-school destinations;
 - teachers who provide personalised and varied programmes of learning and offer all children, including those who are care experienced and have protected characteristics, enhanced levels of challenge and different contexts where they can apply their learning and deepen their understanding;
 - schools that have a focus on all children's personal and wider achievements, including those who are care experienced and have protected characteristics. Schools should be proactively planning opportunities to support, develop and celebrate the achievements of all children; and,
 - learner participation in school improvement.
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- In all inspection activity, the rights of, and support for, learners with protected characteristics and/or those who are care experienced are explored with school leaders, staff, parents, partners, and where appropriate, learners themselves. Areas of strength are identified, along with any aspects for improvement.
 - HGIOS?4 has a strong focus on equality. The set of quality indicators (QIs) and toolkit are designed to reflect the rapidly developing context within which schools operate. Inspection uses the quality indicators in HGIOS?4 to evaluate the capacity for improvement in the school.
 - During the time period of this report, new on-line pre-inspection questionnaires are being embedded into practice. Children and young people being inspected from P4 upwards are able to share views on their experience of school. Equality monitoring is being enhanced and scrutinised to a greater depth to ensure as an organisation we are capturing, analysing and acting on the views of individual learners with protected characteristics.

- All standard inspections evaluate Q.I. 3.1 Ensuring wellbeing equality and inclusion.
- Ongoing professional learning for HM Inspectors includes a focus on areas of equality and corporate parenting. They have been encouraged to work through the module on “Introduction to Inclusive Education.” All HMI attended learning event on corporate parenting in June 2018. This deepened knowledge and understanding of inclusion.
- An inspection advice note on equalities supports inspection teams in taking a consistent approach to carrying out the range of inspection activities required to evaluate quality indicator 3.1.
- Twice yearly training for Associate Assessors includes an input on ensuring they have an up-to-date knowledge of good practice in equalities and meeting the needs of care experienced children and young people. This also includes a focus on a range of information related to wellbeing, equality and inclusion.
- Evidence about progress of different groups of learners is routinely discussed in all school inspections. The progress and wellbeing of care-experienced young people are always part of evidence gathering activities.
- Evidence is gathered on Gaelic across over inspection and scrutiny programmes. We look at individual and groups of learners, including those who may have protected characteristics.
- Education Scotland is currently in the process of implementing a series of improvements to the pre-inspection questionnaires including converting from a paper based system to digital. As a national organisation we are phasing in many of the changes taking time to engage and persuade our stakeholders of the value of the new arrangements. We have also kept our main equality partners updated through our Equality and Diversity network. The changes include sending the questions to all children from P4 upwards (note: equality questions are only sent to all young people in secondary schools), and all parents rather than a proportionate cohort. We are asking more insightful questions on bullying which enable learners to comment on the effectiveness of the school’s approaches to dealing with inappropriate behaviours. There is also text boxes provided for learners to comment on the nature of any bullying (which may be prejudice-based) which is then passed to the managing inspector. A wide range of stakeholders were consulted on the revised questionnaires before it was piloted. The new pre-inspection questionnaire are being used and whilst we currently include some equalities questions we recognise that we need to consult further on amending the range of equalities questions asked to take more cognisance of the two equality groups of race and sexual orientation; however, if we do not want to alienate some of our stakeholders we have to work collaboratively to introduce more changes.

Impact: Gradings and evaluative evidence for Q.I 3.1 in published SIFs supports the sector to better understand impact of approaches to wellbeing. Use of Q.I. 3.1 is sending strong signals to the sector that ensuring wellbeing, equality and inclusion requires strong strategic leadership. Evidence from inspection shows that staff in schools are undertaking professional learning to improve their understanding of supporting young people with protected characteristics. In most schools, young people with additional support needs have their needs met well, and, are supported effectively to feel included. Staff in most schools work well with a range of partners to support their work in improving outcomes for young people facing challenges, including care experienced, young carers and those with protected characteristics. Most schools provide good opportunities for young people to learn about equalities and to challenge discrimination with partners contributions playing an important role. In a few schools young people did not have enough opportunities to explore equalities and diversity. Inspection activity, including annual engagement visits to schools, demonstrates the impact of increasingly inclusive cultures in almost



all independent schools. In a few schools, features of excellent practice in promoting LGBTI+ awareness were identified. Such examples are noted in the visit record for the school, or within the published report.

During 2017/18, most early year settings and the majority of special, primary and secondary schools received a good evaluation or better in Q.I. 3.1. In secondary schools, most young people feel they are treated fairly and with respect their schools providing opportunities to learn about equalities. In early year settings, most children show consideration for each other in play. In almost all special schools improvements in learners' wellbeing is leading to improved attendance, reduced exclusions and better relationships. Children's rights are a prominent feature in most primary schools and children are protected from bullying and harassment.

Safeguarding and Child Protection

- Education Scotland's Safeguarding and Child Protection Policy is published on the corporate website. The policy sets out clear responsibilities for Education Scotland with specific reference to the Equality Act and the need to ensure that children and young people with protected characteristics do not face discrimination in child protection approaches. It also sets out the corporate parenting responsibilities of Education Scotland.
- We have updated our safeguarding inspection approaches to ensure and increased focus on those from protected characteristic groups and our corporate parenting duties. The safeguarding self-evaluation inspection forms request schools/centres to submit specific information related to care experienced learners. Our safeguarding inspection advice note details our expectations of schools and centres in relation to recording bullying incidents linked to protected characteristics.
- Education Scotland has lead responsibility for the following actions in Scotland's National Action Plan to Prevent and Eradicate Female Genital Mutilation (FGM). This requires us to review, update and develop learning resources that can be used in the classroom in an age appropriate manner. We are also committed to develop and maintain FGM educational materials and resources for teachers to support children, parents/carers and other networks, to include annual safeguarding update. In November 2017, Education Scotland created a FGM webpage to support practitioners' understanding of FGM.
- Education Scotland has lead responsibility for the following actions in the National Action Plan to Prevent and Tackle Child Sexual Exploitation (CSE). We are committed to supporting schools, colleges and education services in undertaking their safeguarding responsibilities; delivering regional safeguarding events for education staff to share learning; and training a further 1,860 young mentors to develop the skills to identify abusive and violent behaviours and develop safe options to support and challenge their peers. We have created a CSE webpage to provide schools/centres with information. We have also held two events for child protection leads from education authorities. The theme of these events were CSE and children missing from school.
- We work with Scottish Government colleagues to help schools and centres understand and deliver duties related to the Prevent Strategy. In November 2017, Education Scotland created a webpage on the National Improvement Hub to raise awareness of the Prevent duty and resources which can support delivery. Education Scotland staff have been working in partnership with the Scottish Government Safeguarding and Vulnerabilities Team and Glasgow City Council to develop curriculum resources.

Impact: As we carry out our duties, staff across the organisation are more aware of our child protection and safeguarding policy and promote equity for all. Staff are aware of the rights of care experienced children and promote these rights with external partners and stakeholders. Evidence of work being done in schools in this area is gathered from inspection safeguarding self-evaluation forms.

Programme: Ensuring the Impact of Curriculum for Excellence

- A self-evaluation for self-improvement framework for the Early Learning and Childcare (ELC) sector was provided as an online resource for practitioners working within the ELC sector. The framework includes a number of quality indicators aimed at supporting and improving equity and inclusion in ELCs. A range of events to promote the use of the framework within the public, private and voluntary sectors and the production of helpful resources and materials. Also includes online resource to support professional learning and practice.
- Education Scotland has provided professional advice to the Scottish Government, through our ongoing liaison with policy colleagues; the ELC Strategic Forum, Evidence Group, Quality Reference Group and Evaluation and Monitoring Group. This evidence and advice has supported the development of policy; A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland - 2017-18 Action Plan; and A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland: Quality Action Plan. (Influencing SG policy)
- Education Scotland has provided professional advice to the Scottish Government on how gender equality may be promoted through the curriculum in early learning and childcare settings. This was provided as part of a wider Scottish Government exercise to tackle the gender related pay gap.
- We offer professional learning to educators of Gaelic which supports them to meet the needs of all learners across sectors ensuring no learners are disadvantaged.
- We have developed milestones to support learners with complex additional support needs for literacy and English and numeracy and mathematics and are now available on the Hub for practitioners. A pilot is taking place to explore support for implementation.
- The European Council for Modern Languages (ECML) is a funded project which focusses on training and resources to bridge the attainment gap for migrant learners to develop competences in the language of schooling, whilst recognising and valuing the linguistic and cultural heritage that migrant learners bring to the classroom.
- Education Scotland manages a number of grants to support improvement. Food for Thought Funding – up to £3000- is awarded to successful bids from ELC settings, primary, secondary, and additional support needs provision to develop Food and Health Education. Scottish Mental Health First Aid: this grant, now in its 5th year provides £2000 funding for local authorities to allow secondary school staff to develop the knowledge, skills and confidence required to approach & give initial help to children and young people, including those with additional support needs experiencing mental health issues.

Impact: Evidence from inspections shows that the ELC sector is now engaging and making use of the framework to support self-evaluation for self-improvement for children including those with protected characteristics. Education Scotland supports the Scottish Government in monitoring and evaluating the implementation of ELC expansion policy through the Evidence and Monitoring and Evaluation Groups. From sampling and inspection evidence, staff working in additional support needs specialist provision are developing more confidence in use of milestones for literacy and English and numeracy and mathematics. Successful Food For Thought projects have included setting up and running a community café (Willowbank School) and creating an edible garden at the height required for wheelchairs (Isobel Mair and Corseford Schools). All children and young people in GME can engage with these resources through their language of learning.

Programme: Families and Communities and Parental Engagement and Involvement (FCPEI)

- Education Scotland produced the 'I am a Scientist resource' and 'I am a Mathematician' resources to facilitate and encourage family learning. These resources deliberately challenge gender stereotyping in Science, Technology, Engineering and Mathematics (STEM) subjects encouraging participation and achievement by under-represented groups. The resources offer an approach through family learning which is inclusive, non-threatening and accessible to all.
- We have provided new and updated information on Parentzone Scotland regarding additional support needs and signposting to external sources for further information and support and provided information for gypsy/traveller communities and refugee parents.
- Latest developments in education have been highlighted to parents through the quarterly parents and carers e-bulletins.
- In partnership with the Scottish Government we have improved the range and quality of information available to parents about schools through access to the school information dashboard on our Parentzone website.
- We have developed Hub cases studies on parental involvement, engagement and family learning focusing on protected characteristic groupings. We have also provided new and updated information within the Engaging Parents and Families Toolkit for practitioners regarding working with families from protected characteristics groupings.
- The Family Learning Quality Indicator has an equality and diversity agenda throughout. It is included in the self-evaluation for self-improvement frameworks How Good is our School? 4 (HGIOS?4) and How Good is our Early Learning and Childcare? (HGIOELC?).
- Three research cafes were delivered across Scotland to practitioners working to tackle inequalities and with families including those with within protected characteristics groupings. These had a focus on family learning and topics supported practitioners to embed current research into practice.

Impact: Feedback from national events and download numbers, show that the resources have been welcomed by practitioners and families. It has helped families to learn together in an enjoyable way. Families with children with additional support are supported through provision of information and signposting to services. Families from gypsy/traveller communities have access to increased support regarding education and parental engagement in learning. Parents have access to appropriate information to support them to be involved and engaged in their children's education and learning regardless of their background. Increased transparency and improved understanding of school contexts to support understanding of school improvement including in relation to equity and equalities issues. Raised awareness across educational sectors on families and how to develop approaches which ensure the inclusion of families within protected characteristic groupings.

Programme: Local Authorities and Regional Improvement Collaboratives Scrutiny and Capacity Building (LARSCB)

- Members of the LARSCB team are Education Scotland's key links with each of the 32 Local Authorities and each of the six Regional Improvement Collaboratives. They report on the performance of Local Authorities as part of the Shared Risk Assessment process, advise Regional Improvement Collaboratives and broker Education Scotland resources to support Regional Improvement Collaboratives to deliver on their improvement plans.

- We will use our links to promote Local Authority and Regional Improvement Collaborative awareness of the needs of learners with protected characteristics
- Education Scotland's Regional Advisors ensure that where appropriate our improvement work planned in Regional Improvement Collaboratives takes into account the needs of care experienced learners.

Programme: Developing Employability, Creativity and Skills (DECS), including STEM

- Education Scotland reviewed all inspection evidence from an equality perspective to ascertain progress towards meeting the ambitions of Developing the Young Workforce (DYW). This has been done in six monthly cycles. The latest cycle included evidence from early years, primary, special and secondary, colleges, career information and guidance, community learning and development, and Modern Apprenticeships.
- Case studies of effective practice have been shared with DYW Leads and published on Education Scotland's Hub to demonstrate effective practice in re-engaging young people, including those from equality groups, in mainstream education. The case studies include: [Enable Scotland Stepping Up Programme](#), East Ayrshire and East Lothian Councils.
- Case studies of [Parkhill Secondary School](#) and [Sanderson High](#) have been published on our Hub. These demonstrate good practice in preparing young people with protected characteristics for the world of work.
- The three year Improving Gender Balance (IGB) Pilot Programme concluded in March 2018. Over the three year period five school clusters were involved in the work to develop effective approaches to addressing unconscious bias and tackling stereotypes.
- A comprehensive suite of resources is now available on our Hub to help centres and schools improve gender balance. These include case studies, videos, a photobank, action guides for different sectors and an animation specifically designed to encourage creative thinking around tackling gender bias and prejudice.
- The IGB Project officers have engaged with a wide range of partner organisations to help them address unconscious bias and tackle stereotypes through their programmes.
- Professional learning is now being offered to a range of centres, schools and authorities to extend the learning from the IGB Pilot. This includes training for the team of 11 Raising Aspirations in Science Education (RAiSE) Officers located in eight local authorities.
- A Ministerial event was held on 7 June 2018 to showcase the learning from the IGB pilot and to launch the next phase of the programme.
- Under the auspices of the STEM Education and Training Strategy, the learning from the IGB Programme will now be extended to every school cluster in Scotland by 2022. Education Scotland is currently in the process of recruiting six Improving Gender Balance and Equalities Officers to lead on this work within the Regional Improvement Collaboratives.
- As the IGB programme is extended nationally it will continue to have a strong focus on gender but will also be broadened out to include a wider focus on equality. This will look at the needs of other groups including care experienced young people.

Impact: The review of inspection evidence demonstrated that many early learning settings and primary school actively promote equality and diversity in a range of ways, including those that would support a better understanding of how equality issues might relate to the world of work. Only a few primary schools

were reported as not being fully inclusive. Over a third of the schools need to improve use of data and intelligence to raise attainment of learners with protected characteristics. Secondary schools are still in the process of developing their larger complement of staff's awareness of equality in terms of equality and protected characteristics. There is evidence from SDS Apprenticeship Equality Action Plan Annual Report 2018 of improved uptake of Modern and foundation Apprenticeships across most cohorts of protected characteristics. Feedback from the National DYW Leads Network suggests that approaches shared via the Network and the Hub are helping to improve understanding of the needs of young people with protected characteristics in relation to employment. An evaluation of the IGB Pilot was carried out by Skills Development Scotland and published in June 2018. Key findings include:

- Almost all (98 per cent) agreed that the engagement and information they received was useful;
- In addition, almost all (98 per cent) agreed they learned something new or now feel more informed about gender balance issues;
- The majority (95 per cent) agreed that they would be likely pass on what they have learned to colleagues and partners and would like to take part in more projects like this in future; and,
- Over 90 per cent would be more likely to seek out further information and training in this area.

Programme: Scottish Learning Festival (SLF) / Scottish Education Awards (SEA)

Scotland welcomed over 11,000 visitors during the Scottish Learning Festivals of 2017 and 2018 who took part in a varied programme in September 2017. A number of seminars which explored equality and Inclusion were delivered. These included the findings of the Personal and Social Education thematic Inspection, Young Inclusion Ambassadors and Nurture.

Impact: participants report a deeper awareness of interventions and approaches which help to support the wellbeing of different cohorts of learners including those with disability and requiring additional support

The following evidence relates to our progress in delivering on the following equality outcomes and objective:

Scottish Government Equality Theme: Mental Health (Outward)

Outcome: Over the 10 years of the Mental Health Strategy, we will work on achieving parity between mental and physical health.

Objective: Improved practices which lead to narrowing achievement gaps of targeted groups of learners from protected characteristic groups by supporting the implementation of the Mental Health Strategy.

Personal and social education/health and wellbeing thematic inspection

- During 2017-18, Education Scotland carried out a thematic inspection of delivery of PSE in schools and early learning and childcare settings across Scotland and published a report in August 2018. The thematic inspection included a focus on the extent to which equalities issues

taught in PSE/HWB, teach children and young people about prejudice and promote an understanding of different groups of people.

- The thematic inspection reported that across all sectors, children and young people are developing an appropriate understanding of respect and to value diversity through rights-based learning. Equality of different groups including LGBTI is being promoted well in most secondary schools.
- It also reported that staff benefit from professional learning and resources provided by specialist partners, although resources require to be regularly refreshed. Increased staff awareness and use of guidance available on the teaching of LGBTI issues is required, particularly in early learning and childcare settings, primary and special schools.
- Overall, the thematic inspection concluded that a greater focus on learning about all aspects of equalities and a wider range of groups is required especially in the early years and primary settings.

The following evidence relates to our progress in delivering on the following equality outcomes and objective:

Scottish Government Equality Theme: Hate Crime (Outward)

Outcome: People feel increasingly confident in reporting hate crime when they experience it or witness it; and the prejudicial attitudes that drive hate behaviours are reduced.

Actions: We will support the implementation of the ESOL (English for speakers of other Languages) Strategy (**race**).

- Education Scotland has also linked with researchers at the University of Glasgow who have developed educational resources on LGBT and migrant equalities. The teaching resource for English Spoken as an Other Language (ESOL) practitioners is available on the National Improvement Hub here. Education Scotland will shortly be uploading the youth and community practitioners toolkit covering the same themes.
- Education Scotland worked with Police Scotland to deliver two awareness sessions this year on hate crime and third party reporting to providers working with English for Speakers of Other Languages (ESOL) learners. This work supports our national ESOL strategy for Scotland that recognises the need to promote and support equality and diversity within provision, to practitioners and to learners. Further development work with partners is taking place to develop a learning and teaching resource for ESOL practitioners and learners focusing on hate crime and the third party reporting process.

We will contribute to the development of the **disability** action plan which includes a commitment to tackling disability hate crime.

- Education Scotland is working in partnership with RespectMe, Children in Scotland and an autism organisation to design professional learning resources to support practitioners to respond effectively to deal with bullying of children and young people with autism. Addressing bullying behaviour towards those with a disability at an early stage can potentially reduce hate crime.

The following evidence relates to our progress in delivering on the following equality outcomes and objective:

Scottish Government Equality Theme: Violence Against Women and Girls (Outward)

Outcome: Violence against women and girls is reduced, along with the harms of gender based violence on women and their children.

Action: We will contribute to the delivery of the Mentors in Violence Prevention Programme by engaging new local authorities in the development and delivery (**Gender**)

Programme: Inclusion and Equality

- [Mentors in Violence Prevention](#) (MVP) is currently being rolled out by Education Scotland in 25 local authorities. MVP is a peer education programme for secondary aged young people which empowers young people to intervene to reduce gender-based violence and bullying. The role of the bystander is explored and all young people are encouraged to stand up, in a safe way, to all forms of violence including discrimination and bullying.
- We provide professional learning in approaches which support positive relationships in schools: [Mentors in Violence Prevention](#).



Conclusion

The development and implementation of Education Scotland's new Equality Strategy and Policy in the autumn of 2017, has been the catalyst for an accelerated pace of change across Education Scotland's programmes in terms of equality and care experienced outcomes. The recent introduction of our first corporate parent plan has deepened our understanding of our legal duties for those learners that are care experienced and introduced targeted actions. Within the time frame of this report, staff have benefited from improved models of professional learning for equality and inclusion with improved opportunities to engage directly with our equality partners. Our inspection teams have a more developed understanding of evaluating equality outcomes in Scotland's increasingly diverse educational communities. This report uses evidence from an equality audit across all programmes repeating an earlier exercise undertaken for 2016/17. The volume, quality of content and cross referencing with our statutory duties is evident in all returns. There is clear evidence of considerable progress from last year's returns demonstrating the impact of our commitment of our teams to improving outcomes for vulnerable learners. However, we are far from complacent and with a new senior leadership team and an ongoing recruitment campaign we will have the capacity to do even more.

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