

Witness Name: Neil Rennick

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UK COVID-19 INQUIRY

MODULE 8

WITNESS STATEMENT BY THE DIRECTOR GENERAL EDUCATION AND JUSTICE

This statement is provided for Module 8 of the UK Covid-19 Inquiry by Education Scotland. In relation to the issues raised by the Rule 9 requests dated 2 April 2025 served on the Scottish Government, in connection with Module 8, the Director General will say as follows:

Overview

1. Education Scotland is an Executive Agency of the Scottish Government, established in 2012, charged with supporting quality and improvement in Scottish education and thereby securing the delivery of better learning experiences and outcomes for Scottish learners of all ages.
2. As an Executive Agency, Education Scotland operates impartially while remaining directly accountable to the Scottish Ministers and as such, works collaboratively with the Scottish Government, in particular the Learning Directorate, Education Reform Directorate and Directorate for Children and Families.
3. The Education Scotland Corporate Plan sets out the vision for how it will deliver its remit and create a positive impact for all learners and educators. Prior to the pandemic, Education Scotland's Corporate Plan 2019 - 2022 set out five strategic priorities [NR8/01 - INQ000620619]:
 - a strong focus on learning, teaching and leadership;

- national collaborative professional learning networks;
- getting it right for every child;
- best use of high-quality evidence; and
- effective partnerships.

4. Education Scotland updated its Corporate Plan during the pandemic to set out how it would lead and support the system during the pandemic recovery period.

Relationship with Scottish Ministers and Government

5. Education Scotland falls within the portfolio of the Cabinet Secretary for Education and Skills. Prior to and during the specified period the Cabinet Secretaries who held this portfolio responsibility were:

- John Swinney (May 2016 - May 2021) (also Deputy First Minister)
- Shirley-Ann Somerville (May 2021 - March 2023)

6. The Director General for Education and Justice serves as the portfolio Accountable Officer for Education Scotland. The Director General exercises a leadership and management oversight role towards the Agency, providing support and constructive challenge to the Chief Executive at a strategic level to ensure that the Agency is performing in a manner that delivers good governance standards and appropriate accountability. The Director General also provides advice to Ministers on the strategic role and direction of the Agency in the context of the government's overall policy objectives.

7. The Directors General who held this position during the specified period are as follows:

- Director general for Education, Communities and Justice
 - Paul Johnston (2015 - March 2021)
- Director General for Education and Justice
 - Joe Griffin (April 2021 - July 2023)
 - Neil Rennick (17 July 2023 - present).

Responsibilities in relation to Children and Young People

8. Education is devolved in Scotland and the provision of school and pre-school education is the responsibility of local authorities. There are 32 local authorities in Scotland.
9. They are responsible for:
- meeting statutory requirements;
 - taking forward nationally agreed policies and guidelines;
 - spending and accountability for educational funding; and
 - continuous improvement of services to meet the needs of local communities.
10. Local authorities may also review their school estate and whether the location and condition of schools meets population patterns and educational needs. Across Scotland, local authorities adopt different service structures. Increasingly, education is part of a wider council department, which can also include services such as leisure, culture, sports, the arts, community learning and social work services. Local authorities also have statutory responsibilities for social care, child protection and children in contact with the immigration system.
11. Scotland's Curriculum for Excellence is an inclusive curriculum from ages 3 to 18 wherever learning is taking place. As the national body for education in Scotland, since 2012, Education Scotland has had responsibility for promoting improvement in the quality and effectiveness of education.
12. Our work covers the full range of education provision in Scotland for learners of all ages across early years settings, all types of schools, including independent schools, publicly and privately funded colleges, community learning and development (CLD), initial teacher education, educational psychology services, voluntary organisations and prison education. Education Scotland also links with Higher Education establishments to support the provision of initial teacher education and the Into Headship programme which supports Headteachers to earn the General Teaching Council for Scotland (GTCS) Standard for Headship.
13. In June 2017, the launch of 'Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities to Delivery Excellence and Equity for Our Children' [NR8/02 - INQ000620620] set out a significantly enhanced role and purpose for Education Scotland, including our move to regional working. It gave the Agency a strengthened scrutiny and inspection function and a renewed focus on

professional learning and leadership, providing clarity and coherence to the regional and national landscape.

Organisational Structure

14. Education Scotland's Chief Executive serves as the Agency Accountable Officer, responsible for progress towards and achievement of its strategic priorities, its performance and for planning its future development.
15. The Chief Executive during the specified period was Gayle Gorman (Nov 2017 – March 2023). Gillian Hamilton, previously Deputy Chief Executive, took over as Interim Chief Executive in March 2023 and is currently in this role.
16. Education Scotland's Framework Document [NR8/03 - INQ000620621] sets out how the organisation operated during the specified period. The Agency was structured in five business areas, referred to as Directorates. Four of the Directorates referred to throughout this statement are detailed below.
 - Regional Working
 - National Improvement
 - Scrutiny (Inspection and Review)
 - Professional Learning and Leadership
17. The fifth Directorate, Corporate Services and Governance, operates with the purpose of supporting the organisation to fulfil its corporate functions and public sector duties.
18. The Strategic Directors with responsibility for the Directorates during the specified period were:
 - Strategic Director Regional Working
 - Maria Walker (March 2020 to October 2020)
 - Craig Clement (January 2021 to June 2023) (Shared Remit)
 - Patricia Watson (January 2021 to November 2023) (Shared Remit)
 - Strategic Director National Improvement and Digital Services
 - Alan Armstrong (March 2020 - April 2021)
 - Ollie Bray (January 2021 to present)

- Strategic Director Scrutiny
 - Janie McManus (March 2020 to November 2023) (Shared Remit)
 - Gill Ritchie (March 2021 to present) (Shared Remit)
- Strategic Director Corporate Services and Professional Learning and Leadership and Deputy Chief Executive
 - Gillian Hamilton (March 2020 to March 2023)

19. Prior to the pandemic in 2019, Education Scotland published a 3-year corporate plan [NR8/01 - INQ000620619] outlining key strategic priorities and vision for delivering a positive impact for all learners and educators.

20. Education Scotland's strategic priorities were:

- A renewed focus on professional learning and leadership, providing strategic vision and direction at all levels, working in partnership with the wide range of professional disciplines throughout Scottish education.
- Through closer working at national, regional and local authority level create sustainable, professional networks which facilitate the sharing of best practice to promote improvements in learning, teaching and assessment, whilst ensuring focus remains on delivering the best educational experience and outcomes for learners.
- A commitment to developing practitioners' understanding of equality and diversity issues and supporting them in addressing inequity.
- Provide independent evaluation of the quality of provision across education sectors bringing together our unique evidence base, including observing learning at first hand. Using this to promote improvement and provide assurance to service users, Scottish Ministers and the public about standards, quality and improvement in education.
- Working in collaboration with partners to deliver excellence and equity within Scottish education, to improve attainment and achieve sustained and positive destinations. Listen to our stakeholders and work in partnership with them to continuously add value to Scottish education. Further, listen to our stakeholders to get a holistic view of successes and areas for improvement within the Scottish education system and its impact on the lives of all learners.

Directorate for Regional Working

21. The Regional Work of Education Scotland was established in April 2019 and was in place during the pandemic period.
22. The publication in June 2017 of 'Education Governance: Next Steps - Empowering Our Teachers, Parents and Communities to Delivery Excellence and Equity for Our Children' [NR8/02 - INQ000620620] established Regional Improvement Collaboratives (RICs) to strengthen collaboration, to improve education in Scotland, by pooling and strengthening resources and investing in systematic improvement.
23. Regional Improvement Collaboratives brought together 6 groups of local authorities to:
 - provide educational improvement support to headteachers, teachers and practitioners;
 - deliver an annual regional plan aligned to the National Improvement Framework; and
 - facilitate collaborative working across the region.
24. They were led by a Regional Director and supported by national resources from Education Scotland.
25. Scottish Government committed to working in partnership with local authorities and partners to develop the shape and composition of the regional improvement collaboratives.
26. To support this work, Education Scotland decentralised its national resources to support a regional approach. Previously, teams in Education Scotland were designed to support curricular areas in line with the Curriculum for Excellence (CfE) and in line with education sectors e.g. primary specialists, secondary specialists, ELC specialists etc.
27. There were 6 Regional Teams detailed below, and they were headed by a Senior Regional Adviser.

- Northern
- South East
- Tayside
- Forth Valley
- West
- South West

28. The six regional teams worked together and with national, local and regional partners to lead national policy priorities including Scottish Attainment Challenge, National Improvement Framework, Science, Technology, Engineering and Maths, Developing the Young Workforce, Improving Gender Balance in Education, Digital learning and teaching and all Curriculum areas including Health and Wellbeing. They work with all sectors from early learning and childcare, primary, secondary, Gaelic, CLD and third sector partners

29. Specialist Senior Education Officers, Education Officers and Development Officers supported schools and local authorities to deliver on their responsibilities for a range of national improvement priorities.

30. Regional Teams provided bespoke support for schools, their partners and local authority teams to bring improvements in leadership, learning, teaching and assessment, curriculum, best use of evidence and equality, equity, wellbeing and inclusion across all stages from ages 3-to 18 and in partnership with local authority subject networks to support improvements in outcomes for learners across all curriculum areas.

Directorate for National Improvement and Digital

31. The Directorate for National Improvement had the following broad areas of responsibility:

Curriculum Innovation

- Strengthening curriculum design and innovation at the organisation and system level from early years through to the senior phase.

- Working with individual teachers, establishments and across local authorities and regions, the Curriculum Innovation Team supported the development, design, innovation and the implementation of curricula across Scotland.

Policy advice, support and implementation

- Providing support to the Scottish Government in relation to the development and implementation of national policy. This included, for example, *Free Bikes for Schools*, *the Logan Review* and *A National Response to Improving Mathematics in Scotland*.

Inclusion, Wellbeing & Equalities

- Provision of professional learning activities, resources, coaching and mentoring; and supporting local, regional and national networks for inclusion, wellbeing and equality.
- Sharing of effective inclusion, wellbeing and equality practices nationally, regionally, and internationally.
- Provision of evidence-based advice and consultation on inclusion, wellbeing and equality policy development and implementation to support Scottish Government policy development.
- Working collaboratively with a broad range of partners to offer holistic support to children, young people, their families and local communities.

Digital Services

- Delivering Glow. Glow is Scotland's national digital learning platform. Glow was launched in 2007 and refreshed in 2014 at which point all Glow services moved to the cloud.
- Managing the Scottish Wide Area Network (SWAN) - providing connectivity for education to 32 local authorities.
- Supporting Digital Learning and Teaching – including professional learning and leadership for education professionals via digilearn.scot and supporting activity around cyber security, internet safety and responsible use. Implementation of the National Digital Learning and Teaching Strategy for Scotland.

Directorate for Scrutiny (Inspection and Review)

32. Scottish Ministers' powers relating to inspection are set out in the Education (Scotland) Act 1980.
33. Inspections are carried out by "HM Inspectors". HM Inspectors are defined under section 135(1) of the 1980 Act. Appointment to the post of HM Inspector is subject to approval, at the time, by His Majesty the King at a sitting of the Privy Council, hence the term His Majesty's Inspector.
34. The inspection function within Education Scotland operates independently and impartially, whilst remaining directly accountable to Scottish Ministers for the standards of its work.
35. Prior to the pandemic, the Strategic Director of Scrutiny acted as "the Head of Profession for HM Inspectors of Education", who are a designated specialist professional group within the Scottish Government.
36. The purpose of inspection and review was to:
- provide assurance and public accountability about the quality of education;
 - promote improvement and build capacity; and
 - inform the development of educational policy and practice.
37. The education inspection programme reaches all sectors from early learning and childcare to adult learning. These are outlined in more detail below:
- early learning and childcare settings, including nursery classes in schools;
 - primary and secondary schools;
 - Gaelic Medium Education;
 - independent schools, including pre-registration visits and post registration inspections;
 - special and residential special schools;
 - community learning and development services;
 - education functions of local authorities; and
 - educational psychology services.
38. HM Inspectors also evaluated education provision for learners in relation to further education through scrutiny activity which supports the Scottish Funding Council to

fulfil its statutory obligations for quality assurance in the college sector. They evaluated career information, advice and guidance services and modern apprenticeship training.

39. HM Inspectors also carried out inspections required by UK Visa and Immigration to meet the requirements for educational oversight for Tier 4 sponsor status, including of private colleges and English language schools.
40. The Schools (Consultation) (Scotland) Act 2010, places a duty on local authorities to consult with parents, children, young people and the wider community when it proposes changes to its school estate. HM Inspectors must review every proposal and prepare an independent and impartial report on the educational benefits of the proposal.
41. HM Inspectors contribute to the inspection of prisons and Youth Offenders Institutions (YOIs) as invited by HM Inspectorate of Prisons Scotland. They evaluate the quality of the opportunities offered to young offenders and prisoners for employment, training and education. They also consider the access and quality of experiences in cultural and recreational activities.

Directorate for Professional Learning and Leadership (PLL)

42. The Scottish Government's *Education Governance: Next Steps* (June 2017) [NR8/02 - INQ000620620] identified that the PLL team had strategic responsibility for professional learning and leadership in Scotland. This work included the design and delivery of a wide range of professional learning opportunities that supported Scotland's practitioners, including Into Headship, the route for aspiring school leaders towards the now mandatory Standard for Headship. Full programme list during the pandemic below:

- Teacher Leadership Programme
- Supporting Teacher Leadership
- Leadership of Early Learning
- Middle Leaders Leading Change
- Aspiring to Middle Leadership
- Collaborative Middle Leadership
- Towards Headship

- Into Headship
- In Headship
- Excellence in Headship
- Evolving Systems Thinking

The Independence of His Majesty's Inspectors of Education

43. Prior to and throughout the specified period, Education Scotland was responsible for both improvement operations and the school inspectorate, His Majesty's Inspectors of Education (HMIE).
44. The Education Scotland Chief Executive during the specified period also held the role of Chief Inspector and Chief Adviser of Education in Scotland. As HM Chief Inspector of Education and Adviser for Education they were responsible for providing independent professional advice, information and evidence, to Scottish Ministers, relevant Scottish Government directorates and key national and regional bodies including those responsible for funding, policy development, management, quality and delivery of education. They were also responsible for informing policy and ensuring that the Agency works collaboratively with the Scottish Government and its policy directorates to support progress towards both the Government's purpose and national outcomes as set out in the National Performance Framework and the National Improvement Framework and Plan.
45. The Chief Executive was also responsible for determining the scale and priorities of the Agency's inspection and scrutiny programme to ensure that it fulfils the Agency's strategic priorities, in agreement with the Cabinet Secretary for Education and Skills, who also holds the power to commission specific inspection and scrutiny activity through the Chief Executive.
46. Supporting the Chief Executive in this role was the Strategic Director for Scrutiny. The role of the Strategic Director for Scrutiny was crucial in maintaining stakeholder confidence in the integrity and impartiality of the Scottish scrutiny model. The Strategic Director for Scrutiny was acknowledged by the Cabinet Secretary for Education and Lifelong Learning, the Director-General for Education, Communities and Justice, the Chief Executive and the Advisory Board of Education Scotland as having a custodian and protective role for ensuring Education Scotland operates

openly and impartially when carrying out its inspection and scrutiny obligations. The Strategic Director for Scrutiny was therefore acknowledged as having a distinct and separate role to the Chief Executive.

47. Ministers have since decided that the inspection functions should be separate from Education Scotland and a new body, His Majesty's Inspectorate of Education, be created. A Bill is currently being progressed which includes proposals for the position of His Majesty's Chief Inspector of Education in Scotland.

Education in Scotland prior to the pandemic

Trends and challenges in Scottish education prior to the pandemic

48. The Scottish Government's Education Analytical Services (EAS) is responsible for providing analytical support and advice to the Education and Skills portfolio. EAS is responsible for developing, reporting and briefing on official statistics, managing key national and international surveys and data collections, undertaking evidence reviews and delivering research and evaluation to support policy teams and underpin legislation, undertaking modelling and economic analysis.
49. Education Scotland considers a range of data and analysis undertaken by EAS when developing its support and improvement services and in support of its inspection programme.
50. Additionally, Education Scotland generates evidence from a wide range of inspections and other evaluative activities. That includes local authority scrutiny and thematic reviews of topics as well as our routine establishment and service inspections. We use all this evidence to report publicly on the quality of education. Our inspectors report on the impact that national policy and guidance is having in establishments and services across the country, and they make professional judgements about the quality of children's and young people's learning, attainment and achievement.
51. In 2016, Education Scotland published its *Quality and Improvement in Scottish Education report for 2012-2016* [NR8/04 - INQ000620622]. The report summarised findings from inspections and other evaluative activities and sought to draw out key

features and trends as education providers sought to develop and improve their services over that time.

52. In 2019, we published the *School Inspections Findings report for 2018-2019* [NR8/05 - INQ000620623] and the *HM Chief Inspector's blog on school inspection findings* [NR8/06 - INQ000620624]. This series of inspection findings briefings is based on evidence gathered from our total sample of 252 schools across primary, secondary and special school provision over 2018-19 and was designed to promote improvement at a local and national level.
53. Also in 2019, we published *Addressing the poverty-related attainment gap* [NR8/07 - INQ000620625] a thematic report which looked at a range of evidence gathered across 433 inspections of early learning and childcare settings, primary, secondary and special schools carried out during 2018-2020. It focuses on what is working consistently well, what is improving and where there remain challenges and areas for improvement in addressing the poverty-related attainment gap in schools.
54. This report found that senior leaders across most sectors continued to ensure a strong focus on raising attainment and addressing the poverty-related attainment gap. Overall, schools had gained confidence and knowledge in identifying the poverty-related attainment gap in their local context. Increasingly, staff across sectors recognised the importance of knowing the circumstances of individual children and young people and overcoming any barriers to their progress in learning. A stronger focus on identifying and addressing barriers to learning is helping through targeted approaches to improve literacy, numeracy, health and wellbeing. Emerging evidence indicated that these targeted interventions are leading to improved outcomes for children and young people with barriers to their learning resulting from their socio-economic circumstances. However, more work needed to be done by schools in gathering and taking account of a range of data and evidence to monitor and evaluate the impact of change and improvement on outcomes for learners. The quality of leadership in addressing the poverty-related attainment gap in early years settings and in special schools was too variable. Clearer strategic direction and an increased pace of continuous improvement was required in these sectors.
55. A summary of the trends and challenges concerning Scottish education in the five years prior to the pandemic, some of which was observed or recorded by Education Scotland and some of which is based on the Scottish Governments national data- is outlined below.

Attainment

56. For reference and context, prior to 2016/2017, all Achievement of Curriculum for Excellence Level (ACEL) statistics have been labelled as 'Experimental Statistics' reflecting that they were new statistics in development [NR8/08 - INQ000620626]

- Between 2016/17 and 2018/19, there was a small, steady increase in attainment by children of expected CfE levels in reading, writing, talking and listening, and numeracy at P1, P4 and P7. There was a small, steady increase in the number of young people at S3 achieving third level or better and young people at S3 achieving fourth level in reading, writing, talking and listening, and numeracy.
- The gap in attainment between the proportion of primary pupils (P1, P4 and P7 combined) from the most and least deprived areas who achieved their expected level in literacy reduced between 2016/17 to 2018/19.
- The gap in attainment between the proportion of primary pupils (P1, P4 and P7 combined) from the most and least deprived areas who achieved their expected level in numeracy remained stable between 2017/18 and 2018/19 at slightly below the 2016/17 level.
- The gap in attainment between the proportion of S3 pupils from the most and least deprived areas who achieved their expected level in literacy remained broadly stable throughout 2016/17, 2017/18 and 2018/19. The gap in attainment in numeracy reduced.

57. In the five-year period preceding the pandemic (2015-2020), several factors contributed to the overall picture of attainment in secondary schools. These included:

- The increased use of digital technology as a part of teaching, learning and assessment.
- The increased provision of universal and targeted support for those young people who required it. This included appropriate interventions for young people with additional support needs to improve attainment.
- More flexible progression pathways in the senior phase, including increasing numbers of vocational qualifications available to young people. This included

a broader range of qualifications delivered through partnerships with colleges.

58. A number of challenges affected efforts to improve attainment over the same 5 year period, including;

- The need for schools to review the broad general education (BGE) as a driver for raising children and young people's attainment.
- The need for robust data from BGE courses in relation to the attainment of young people from S1 to S3 to support more appropriate course choices and greater success for young people.
- A lack of clear curriculum rationale in all schools to support attainment for all.
- The need to continuously review the timing of and support for young people making course choices. The balance between breadth and specialisation continued to be a tension for schools.

59. Most young people were achieving third level or better in literacy and numeracy by the end of S3 during the pre-pandemic period. The majority were attaining fourth level in reading, writing, listening and talking, and in numeracy.

60. For context, when reporting findings, HM Inspectors use the following terms to describe numbers and proportions.

- Almost all – over 90%
- Most – 75% - 90%
- Majority – 50% - 74%
- Less than half – 15% - 49%
- Few – up to 15%

61. Primary and secondary schools continued to improve the reliability of their data on attainment of CfE levels in literacy and numeracy during the BGE. Teacher judgements were supported by an increased understanding of national Benchmarks, information from Scottish National Standardised Assessments and use of a suitable range of assessments in the classroom.

62. Almost all primary and secondary schools were tracking the attainment of children and young people in literacy and numeracy during the BGE, however, it remained an area for improvement. This was required to ensure children and young people were progressing and attaining across all aspects of their learning, and to support progression through and from the BGE into the senior phase.
63. Staff in almost all schools continued to increase their confidence in the use and analysis of data to plan for improvements. The use of Insight in secondary schools was allowing staff to identify the attainment of different groups of learners, including those residing in SIMD 1 and 2, the highest and lowest attaining, and young people requiring additional support. This was supporting the planning of improvement and interventions to close gaps between groups and raise their attainment. Staff across sectors recognised the importance of knowing the circumstances of individual learners and supporting them to overcome any barriers to their progress in learning.
64. Insight is an online tool managed by the Scottish Government. It contains five years of pupil attainment, destinations and demographic data and employs a statistically constructed 'virtual comparator' to provide an appropriate and fair benchmark for each school's performance along a number of dimensions.
65. Prior to the pandemic period, the national picture of overall attainment in Scottish Credit and Qualification Framework (SCQF) Levels 5 to 7 for A to C passes showed a decline for young people in the senior phase from 2016 to 2019.

National qualifications at SCQF Levels 5-7 (A-C passes only) 2015-2020						
Qualification level	2015	2016	2017	2018	2019	2020
National 5	230,310	234,665	233,412	218,472	225,819	267,644
Higher	156,731	153,391	150,639	147,949	139,322	166,284
Advanced Higher	19,007	19,518	19,381	19,653	18,680	21,938
Total	408,063	409,590	405,449	388,092	385,840	457,886
<i>Source: SQA Attainment Statistics</i>						

Attendance

66. The national picture for attendance in the five-year period preceding the pandemic was as follows:

- 2014/15 – 93.7% an **increase** from 2013/14 when attendance nationally was 93.6%
- 2016/17 - 93.3% a **decrease** from 2015/16 when attendance nationally was 93.7%
- 2018/19 - 93.00% a **decrease** from 2017/18 when attendance nationally was 93.3%
- 2020/21 - 92.00% a **decrease** from 2019/20 when attendance nationally was 93.00%

67. The 2020/21 figure relates to the period when schools were open. The national figures for attendance show a decline over the five years prior to the pandemic.

Elective Home Education

68. Local authorities do not have a statutory duty to hold data on children living in the authority who are receiving elective home education. There is therefore no reliable available data to support a national overview of numbers of children in elective home education prior to the pandemic.

Children's behaviour and engagement with learning; school inspection reports

69. The *Quality and Improvement in Scottish Education report for 2012-2016*. [NR8/04 - INQ000620622] 2012 – 2016 found that overall, children were motivated and enthusiastic about their learning. Inspectors observed children who were becoming more actively engaged in their learning.

70. The *School Inspections Findings report for 2018-2019* [NR8/05 - INQ000620623] found that relationships between learners and staff in most schools were very positive, caring and nurturing. Staff understanding and use of nurturing approaches was developing and having a positive impact on children's and young people's behaviour and engagement with learning.

71. The exclusion rate per 1,000 pupils decreased from 26.8 in 2016/17 to 21.7 in 2018/2019. The figure continued to decrease until during the pandemic but rose in session 2022/23 to 16.6.

Provision for children with complex additional needs

72. The Scottish Government's Annual Scottish pupil census collects information on the number of pupils who require additional support to access education (and the reason they need this support), not the number of pupils who have been diagnosed with specific needs [NR8/09 - INQ000620627].

73. The term 'severe and complex support needs' can be used to describe children and adults with multiple barriers to learning such as communication, cognition, sensory (vision & hearing) and physical. The population of individuals with Profound and Multiple Learning Difficulties (PMLD) are often also included within the 'Complex Needs' description. Some autistic children and young people may also be described as having complex support needs due to the complexity of their communication, cognitive and sensory difficulties.

74. In line with the Additional Support for Learning (Scotland) Act 2004, as amended, children and young people with complex or complexity of needs are assessed through the local authorities staged level of intervention and have the highest level of planning and support. There will be variation across the 32 local authorities on their levels of intervention and recording processes due to the devolved nature of education to local authorities and variations of contexts they are in.

75. Children and young people with complex needs are supported in a range of education settings including;

- special schools,
- mainstream settings and
- split time between enhanced provision in a mainstream setting or a special school.

76. As is still the case now, prior to the pandemic, most children with additional support needs were educated in mainstream schools but some with complex or specific

needs were educated in special schools. For the purposes of the annual audit these schools covered primary and secondary education. A few authorities did not have special schools and may have funded places in neighbouring authorities for their pupils.

77. Statistics for the special school sector are compiled from schools formally designated as special schools in the Scottish Government's School Establishment collection. There is not always a clear distinction between special schools and special units or classes within a mainstream school. This should be kept in mind when analysing the statistics. Where pupils attend a 'special unit' attached to a mainstream school, they are usually included in the figures for the mainstream school. However, some schools and local authorities have reported pupils from 'special units' separately.
78. Prior to 2018, open special schools with no pupils or where no pupils were on roll but pupils from other schools attended were included in school counts in this publication. From 2018, they have been excluded. Figures for years prior to 2018 have not been revised to exclude these schools. This methodological change accounts for the large decrease in the number of special schools between 2017 and 2018.
79. The Pupil census is published each spring in the following year after the previous September's data is collated by local authorities. The table highlights the 2016-2019 data on children and young people who have been recorded being supported in Special schools [NR8/09 - INQ000620627]

Census year.	Number of local Authority Special Schools	Female	Male	Total
2015	144	2,111	4,760	6,871
2016	141	2,004	4,664	6,668
2017	135	1,954	4,700	6,654
2018	114	2,031	4,792	6,823
2019	114	2,134	4,998	7,132

80. In 2012, 'The Doran Review - learning provision for children and young people with complex additional support needs' was conducted to identify ways of improving educational outcomes for children with complex additional support needs. The Review made recommendations aimed at providing better outcomes and experiences [NR8/10 - INQ000620713].

Safeguarding in schools

81. The duty to safeguard and promote the welfare of children in Scotland sits with schools and local authorities within the policy context of Getting it Right for Every Child (GIRFEC) and they are responsible for monitoring and investigating individual safeguarding concerns. The responsibility for the development and management of GIRFEC and Safeguarding policy sits with the Learning Directorate in Scottish Government. This is outlined in more detail in paragraph 157. Education Scotland does not hold national data on safeguarding for all schools and settings

Planning prior to the pandemic

Engagement with local authorities and continuity of education

82. Overall statutory responsibility for contingency plans for school closures and children lies at local authority level and it was not a routine aspect of Education Scotland's responsibilities to have sight of these plans or to monitor them prior to the pandemic.

83. Education Scotland had well-established communication channels with local authorities. The Regional Work of Education Scotland was established in April 2019, bringing together the improvement functions, which previously had been separate, into six regional teams. Regional Teams included the curriculum education officers, the attainment advisors, Community Learning and Development (CLD), Early Learning and Childcare (ELC) and Inclusion, Wellbeing and Equality (IWE) officers and other externally funded posts and were led by a Senior Regional Adviser. The function of the teams was to work as closely as possible with schools, local authorities, establishments and Regional Improvement Collaboratives (RICs) to support improvement and to collaborate to achieve excellence and equity in education. Over the first year, steady progress was made in achieving that aim, by working directly with schools and local authorities or by working within the RICs as they developed their offer to teachers, schools and practitioners.

84. Prior to the Scottish Government's decision to close schools being taken, Education Scotland Senior Regional Advisers were in regular contact with senior officials in each local authority to ensure that plans were robust and could be implemented and to feedback to SG colleagues any emerging issues. Some discussions took place as

early as the beginning of March 2020 which touched on the growing concerns about a potential pandemic.

Provision for vulnerable children

85. In the weeks preceding the first school closures in March 2020, Scottish Government officials were monitoring the emerging situation carefully through existing Scottish Governments' Resilience Room (SGoRR) structures. Scottish Government education officials reviewed a range of advice from stakeholders, UK Government, Health officials etc. This is detailed in the statement by Neil Rennick DG Education and Justice provided to Module 8 of the Inquiry on 30 May 2025.

86. In particular, on 13 March 2020, as part of the response to the Deputy First Minister's previous requests around contingency planning, a joint letter was issued from Scottish Government and COSLA officials to all Directors of Education, setting out key potential impacts of Covid-19 on the Scottish school and early learning and wider childcare sectors and asking for confirmation that plans were in place to mitigate these, [NR8/11 - INQ000529991]. This sought high level information on planning arrangements for Covid-19 and any additional support required. This was intended to supplement information already being gathered through the Scottish Resilience Partnership Covid-19 Readiness Dashboard. The letter requested information on, and confirmation of the following:

- Data collection, communications and arrangements for teachers/staff
- Knock-on impact on ability of parents and carers to work
- Educational continuity (including exam preparedness)
- Vulnerable children (free school meals, underlying health conditions).

87. A submission to the Deputy First Minister on 20 March provided an update on the information provided by local authorities in response to this request, [NR8/12 - INQ000261332]. It noted that the information received generally gave some confidence that a range of measures and mitigating strategies were already developed, or being developed, across local authorities. Exact approaches differed depending on local circumstances but included plans for hub structures, digital provision and arrangements for free school meals. The information showed local authorities taking steps to maintain learning and care for vulnerable groups.

88. A range of provision was to be put in place by local authorities via these hubs to meet the needs of vulnerable children and young people, including those with complex additional support needs. This included childcare for vulnerable children and the children of key workers, included learning provision. This approach recognised the need to ensure continuity of care for these children and young people.
89. Intelligence gathered in the first days of school closures indicated that most local authorities had plans in place to open Hubs within the first days of school closures but that these plans were developing as needs were becoming better understood. They also indicated a need for more guidance on the provision for children or keyworkers and vulnerable children [NR8/13 - INQ000620630].
90. Education Scotland Senior Regional Advisers undertook an intelligence gathering exercise on 26 March 2020 [NR8/14 - INQ000620631] looking in more detail at the provision for keyworkers and vulnerable children. It found that all local authorities had provided assurance that vulnerable children and young people were a high priority and that arrangements were being made to ensure that child protection and other vital processes were in place.
91. Thereafter there was ongoing engagement, dialogue and sharing of advice and guidance to local authorities and the wider sector. Education Scotland's Senior Regional Advisers were in almost daily contact with local authorities, capturing intelligence on the level of critical provision in place, provision for vulnerable children and young people and to advise Scottish Government officials and Scottish Ministers on issues arising. This daily communication continued until June 2020, when updates began to focus on the developing plans for when schools could reopen.

Access to digital technology and remote learning

92. The issue of access to digital learning was also considered to be of key concern as part of overall contingency planning by Scottish Government, prior to the pandemic. Advice to local authorities on using Glow (the National Learning and Teaching platform) as a tool for remote learning was included in the Winter Resilience Briefing Pack issued by Scottish Government annually for a number of years prior to the pandemic, for example to provide resilience when school buildings were closed due to bad weather. However, there was no nationwide assessment undertaken by Scottish Government of equipment or internet access requirements prior to March 2020.

93. Glow accounts are available to all schools and education establishments across Scotland, including independent schools and teacher education colleges/universities. Scottish education partners who are involved in the delivery of the 3-18 curriculum can also gain access to Glow. Learners and teachers who are registered with SEEMIS (the management information service used by local authorities) will automatically have an account created. Other users can request an account either through a local authority or Education Scotland. The files provided show the spread of Glow users across local authorities in February/March 2020 and 2021 [NR8/15 - INQ000620633, NR8/16 - INQ000620634, NR8/17 - INQ000620635, NR8/18 - INQ000620636].
94. Glow is comprised of several core services:
- Microsoft 365 (a national resource which is shared by all Glow users)
 - Google Workspace (available on request to local authorities who use Google as their platform of choice but wish this to be provided and managed free through Glow)
 - Authentication and portal services (provided by RM Unify and giving access to a catalogue of services and applications at both national and local authority level)
 - Glow Blogs
95. Local authorities can also choose to give access to applications through the Glow launch pad, allowing users to access a range of services with a single sign on.
96. Although the platform is available to all local authorities, it is for each authority to determine how this sits within their own local context. Some use Glow as their main or only learning platform, others use it alongside their own local provision, and a few use Glow on a very limited basis. Local authorities use Glow in many ways and in combination with local provision to a greater or lesser extent. It was, therefore, not possible to predict how ready each local authority was or how they planned to deliver remote learning. However, in the submission by Scottish Government officials to the Deputy First Minister on 20 March [NR8/12 - INQ000261332] a high number of responses made clear that they were ready to harness digital solutions including Glow in support of ongoing learning. Given the immediate and ongoing increase in

Glow usage, access to the service was not believed to be a barrier to that preparedness.

97. In March 2019, 235,393 unique users accessed Glow with 3.5 million logins. By contrast, in the same month in 2020, 491,796 users used Glow with 10.5 million logins.
98. Glow had been used by individual schools on occasion prior to 18 March 2020 for remote learning, either in the event of school closure or to support online learning for some subjects. It was also used by the e-Sgoil on-line learning platform as their main technical platform for delivery.
99. E-Sgoil was established in Comhairle nan Eilean Siar in 2016 to provide a wider and more equitable choice of subjects for pupils, to support the expansion of Gaelic medium education and develop a network of staff who are able to deliver online learning in all subject areas throughout Scotland. In the weeks of school closures, e-Sgoil extended its offer to schools across Scotland. This became a pilot during term 4 in April – June 2020, which would later inform the National e-Learning Offer.
100. When school closures were announced, Glow continued to play a key role in ensuring that learners and teachers across Scotland were able to continue to learn from home and we saw a significant rise in daily usage. The peak number of unique users on Glow was 257,951 on Monday 23 March, the first day of school closures, with total logins/sessions of over 927,000.
101. However, there was also a need for learning materials which would be accessible on a national scale while also supporting local and regional efforts.

Education Scotland's work during the pandemic

Changes to responsibilities during the specified period

102. Notwithstanding the suspension of the inspection programme, Education Scotland continued to be responsible for its 'business as usual' outlined above, throughout the pandemic period.

103. In April 2020, the Scottish Government established various advisory groups to support Ministers, officials and education providers. This included the Covid Education Recovery Group (CERG) and the Critical Childcare and Early Learning Childcare Subgroup (CCELC). These groups provided advice on early learning and wider childcare and education policy and delivery to Scottish Ministers and local government leaders in the context of the response to the Covid-19 pandemic.
104. CERG brought together public health experts, decision makers and key influencers, to ensure that the delivery of ELC and school-age education maintained a strong focus on the needs of children, young people and families, and met key policy objectives, within the necessary constraints of the Covid-19 response and the need to maximise public safety. The role, remit and terms of reference were subject to consultation with members. The terms of reference for the Group and the timescales over which it met have been previously provided by Scottish Government [NR8/19 - INQ000651495].
105. Education Scotland's Chief Executive and Deputy Chief Executive were both members of CERG and Education Scotland were responsible for delivering aspects of the pandemic response on the group's behalf with a particular focus on term 4 learning, school improvement in a new context, pastoral care for children and young people and workforce support. CERG's work is detailed in the statement by Neil Rennick DG Education and Justice provided to Module 8 of the Inquiry on 30 May 2025.
106. In September 2020, Education Scotland published an update to its Corporate Plan. *Education Scotland: Our recovery year 2020/2021* [NR8/20 - INQ000620637]. While this update did not replace the previous three year plan, it outlined how Education Scotland would re-focus its work on a single refreshed aim:
- Supporting recovery, quality and improvement in Scottish education and thereby securing the delivery of better learning, experiences and excellence and equity, for Scottish learners.
107. To support this aim, Education Scotland organised its work around two areas:
People and Place.
108. A focus on people involved a strong national support and improvement offer that was accessible for individual practitioners. Although school buildings had re-opened

by this stage, we committed to continuing to develop support for remote learning including through Glow, e-Sgoil and developing support materials for practitioners and parents. We continued to offer professional learning and leadership opportunities and prioritised the support of teacher and practitioner wellbeing. Reflecting current ways of working, our professional learning was largely delivered online, including through a new approach to connecting educators which was called 'Blethers'.

109. Blethers were conversational online sessions designed for colleagues to connect with each other and discuss key issues impacting them and their learners. Initially, these sessions were introduced as 'Big Blethers' then developed into themed 'Wee Blethers' and 'Headspace' sessions for headteachers to connect and share knowledge, experience and concerns with peers.

110. A focus on place, provided direct support that was responsive and targeted at school, community, local authority and regional level. Our teams worked with other education specialists across the Regional Improvement Collaboratives to provide the right blend of expertise which schools and services needed at this crucial time. We wanted to build on the relationships we already had with local authorities to ensure that we could be responsive to their circumstances and needs. By focusing on place during 2020/21, we believed we could make flexible and effective use of our people to support a recovering system, whilst still leading and contributing to national programmes and priorities such as the Scottish Attainment Challenge, National Improvement Framework and the Curriculum Review.

111. As well as support for children and young people and education professionals, Education Scotland also had responsibility prior to and during the pandemic to provide information for parents about the curriculum in Scotland and how to support their child's learning at home prior to and during the pandemic.

Changes to Inspection

112. On 13 March 2020, Education Scotland took a decision to pause all inspection and professional learning and leadership activity. There was growing pressure and uncertainty facing education establishments due to the changing situation with Covid 19. It was also anticipated that education establishments might experience a reduction in staffing numbers and would have a need to protect staffing levels [NR8/21 - INQ000530049]. However, it continued to be the case that under section

66 of the Education (Scotland) Act 1980, Scottish Ministers could 'cause' an inspection, regular or special. In the event that Ministers were to 'cause' an inspection, HM Inspectors would have had a duty to carry it out.

113. It was believed to be vitally important that staff working in education could focus entirely on their own establishment (rather than on external scrutiny), on supporting their colleagues, pupils and communities and that additional pressure from inspection activity and professional learning activities would be unhelpful.

114. During the inspection process, HM Inspectors work closely with pupils, staff, parents and communities for a sustained period of time and we believed our decision to pause this activity for this period would allow schools and education establishments to focus on their local business continuity plans and to support their staff, young people and communities.

115. It is important to note that the Care Inspectorate also has a role in inspecting early learning and childcare settings. This is detailed fully in our assessment of the impact of the pandemic on children in early years and childcare settings further on in the statement. This response only refers to Education Scotland's inspections.

116. In the initial period, the pause to inspection and professional learning activity was expected to last until the Easter break. Following this, advice was provided to Ministers on 27 May 2020 to temporarily suspend the early learning and childcare and school inspection programme between August 2020 and June 2021. The reasons for this suspension were to:

- enable staff working in education to focus entirely on recovery and implementation of local phasing delivery plans; and increased in-school learning time for all;
- relieve pressure on the system and enable schools to focus on delivering a blended approach to learning for children and young people;
- release the capacity of the Inspectorate to provide bespoke support to schools and contribute, with others, to the overall recovery of the education system;
- enable inspectors to use their knowledge and expertise to work with schools to identify and share good practice and identify priorities for further development by the school and its partners;

- provide an opportunity to extend the Inspectorate's approaches to providing external support and challenge to schools, through working in partnership with school and local authority staff;
- help to build capacity and to ensure that there are sustained arrangements in place to provide continuing support and challenge in the future; and
- ensure that the Inspectorate can continue to provide independent advice to Ministers on the pace of progress and overall recovery across Scotland.

117. HM Inspectors were committed during this time to providing a range of support to schools and settings, to working collaboratively with other Education Scotland teams, and engaging with local authorities to provide localised support. The overall aim was to support the education system to recover whilst at the same time relieving the pressure on the system where possible. For example, HM Inspectors evaluated the local authority local recovery plans in line with the Scottish Government's Education Recovery Plan in advance of the intended reopening of schools in August 2020.

118. The method of engagement by HM Inspectors was adapted during this time in response to public health restrictions and safety considerations. Depending on the level of restrictions in place at any given time, HM Inspectors carried out their engagement using a mix of remote and hybrid approaches. Remote activities included virtual meetings with staff and analysis of documentation. When it was safe and appropriate to do so, hybrid models combined remote engagement with on-site visits. These adaptations ensured that activity could continue in a meaningful and proportionate way, while prioritising the wellbeing of learners, staff, and inspectors.

119. While most inspection activity was suspended throughout the period of March 2020 and September 2022, as detailed above, Scottish Ministers continued to have the power to compel HM Inspectors of Education to conduct inspections of any kind, including special inspections, under section 66(1) of the Education (Scotland) Act 1980. During academic year 2020/21 HM Inspectors of Education conducted two such inspections. Due to pandemic restrictions, most inspection activity was carried out virtually. HM Inspectors attended schools to review safeguarding and child protection files.

120. HM Inspectors also continued to undertake school consultations in line with relevant legislation as outlined in paragraph 40. In 2020/21 HMI undertook 10 school

consultations. Seven during April- December 2020 and three during January–March 2021. This was a significant reduction to less than half the normal rate. From April 2021 consultations began to recover to previous average rates. Processes were adapted during the pandemic, with an increase in the use of online meetings, for example with parents, to avoid bringing people into schools unnecessarily. The Coronavirus (Recovery and Reform) (Scotland) Act 2020 inserted a new section 11ZA(1) to the 2020 Act to enable local authorities to seek permission from Ministers to change how they conduct school consultations to protect public health, including the capacity to run public meetings wholly online.

121. Between January 2021 and March 2021, HM Inspectors develop a national overview of practice in the delivery of remote learning through engagement with local authorities, schools, parents, children and young people. The national overview was intended to:

- Learn what is working well and share this widely to celebrate success and support consistency in the quality and effectiveness of delivery of remote learning.
- Surface the challenges and/or issues so that these can be addressed, either locally or nationally, as appropriate.
- Identify what further assistance is required to continue to improve the delivery of remote learning so that relevant support can be provided at local and/or national level.

122. A phased approach was taken to creating the national overview of practice. During this period 12 national overviews of practice were published.

123. In April 2021, HM Inspectors undertook a national review of local authority approaches to quality assurance as part of the alternative certification model. The review was intended to support further; the range of measures being undertaken to ensure that the approach to certification in 2021 delivered for young people across Scotland. HM Inspectors engaged with all 32 local authorities. They spoke with local authority officers, headteachers, SQA co-ordinators, teachers and representatives of professional associations in each local authority. HM Inspectors did not review approaches to quality assurance at individual school or departmental level. Nor did

they review the quality assurance of assessment evidence gathered for determining individual learners' provisional grades.

124. In September 2021, HM Inspectors commenced a programme of visits to those schools, ELC settings and community learning and development (CLD) services where previous inspection had identified the need for improvement and who were awaiting further inspection or where a progress report had been requested prior to the pandemic. HM Inspectors worked closely with Directors of Education and local authority officers to plan these visits. HM Inspectors undertook visits to 112 schools, ELC and settings and CLD services to explore how children and young people were being supported during the pandemic, and to examine the progress made in addressing the recommendations from the original inspections. HM Inspectors provided each school or setting with a report of their findings.

125. HM Inspectors had been planning to restart inspections of individual schools and ELC settings in January 2022 [NR8/022 - INQ000530260, NR8/23 - INQ000620639]. However, after taking stakeholder views into account, alongside the ongoing challenges faced by settings and schools in dealing with the pandemic and the emerging information about the Omicron variant, HM Inspectors did not resume the routine ELC and school inspection programme as originally planned, resumption dates are detailed below.

126. In March 2022, in line with the easing of restrictions in response to the Omicron variant, HM Inspectors commenced a programme of recovery visits to schools and settings to learn about what had worked well and the challenges they faced during the pandemic. Schools and ELC settings were asked to self-nominate to take part, and 164 settings and schools indicated that they wanted to participate. Between March and July 2022, HM Inspectors visited 148 schools and ELC settings.

127. During the visits, HM Inspectors gathered evidence on other establishment's priorities for recovery or improvement; learned more about how establishments were addressing the impact of COVID-19 with a particular focus on continuity of learning and wellbeing of staff and learners; and gathered information about the range and quality of learning children and young people were experiencing. HM Inspectors also explored approaches to safeguarding and child protection. A report of the findings of each recovery visit was provided to the school or setting following the visit. HM Inspectors did not report on specific quality indicators or assign summative grades.

128. The Cabinet Secretary for Education and Skills agreed that routine inspections of schools and early learning and childcare settings would fully resume in September 2022 [NR8/24 - INQ000620640].

Timeline of the pause and restart of School and ELC Inspection

- **13 March 2020**
Initial pause of routine school and ELC inspection programme
- **August 2020**
Full suspension of routine school and ELC inspection programme
Review of Local Authority recovery plans for schools re-opening
- **January – March 2021**
National Overviews of Practice
- **April 2021**
National Overview of Approaches to Quality Assure the Alternative Certification Model
- **September 2021**
Programme of follow-up visits to schools awaiting further inspections
- **January 2022**
Intended return to routine school and ELC inspection programme – Superseded due to Omicron
- **March – July 2022**
Programme of recovery visits
- **September 2022**
Full return to routine school and ELC inspection programme

Support for local authorities and intelligence gathering

129. On 20 March 2020, Education Scotland wrote to Directors of Education offering to provide support in their arrangements for schools and early learning and wider childcare settings to close [NR8/25 - INQ000530022]. As well as the offer of support outlined in the letter, Education Scotland sought to offer practical support locally, regionally and nationally throughout the specified period.

130. Some of our staff volunteered directly to support frontline early learning and childcare practitioners, teachers and local authority officers within the hubs and remotely to support learning and teaching. This support continued until the end of July 2020.

131. In late April 2020, Education Scotland gathered feedback from its stakeholders to support the development of its Recovery Plan. The exercise focused on any requests for support that stakeholders needed from Education Scotland in dealing with the educational implications of Covid-19. The feedback was gathered using open questions which were similar across the different stakeholder groups. These focused on: support for children and young people learning at home; support for staff working remotely; and support for Childcare Centres/Hubs. Feedback was gathered from main groups of stakeholders, local authorities, Regional Improvement Collaboratives, professional learning participants and Associate Assessors (Almost all inspection teams, are joined by practitioners from the relevant sector. These practitioners are known as Associate Assessors or Professional Associates). This was presented to Education Scotland's Leadership Team [NR8/26 - INQ000620642].

132. Across all three stakeholder groups, curriculum delivery was a key area where support was requested. Within this category of requests, the highest frequency related to Education Scotland providing some form of support for online teaching. These requests referred to the need for the national provision of virtual lessons/webinars; online resources linked to Curriculum for Excellence (CfE); and learner materials, such as worksheets. Specific curriculum areas mentioned included Modern Languages, literacy, numeracy and health and wellbeing.

133. Support for parents and carers who are supporting home learning was also an area mentioned across all stakeholder groups. This area in particular was frequently mentioned by Associate Assessors. Across stakeholder groups, requests asked for resources, guidance or advice in a range of areas, including: linking learning/skills with home activities such as baking or gardening; literacy; numeracy; how long children should be online each day; how long children should be physically active for; mental health; being a successful home learner; science activities; and active learning. It was felt that any materials to support parents, carers and learners should be split into different levels and be cross curricular.

134. All stakeholder groups requested support with various aspects of digital provision. Requests included ensuring learners and their families had access to devices (e.g. laptops) or broadband/Wi-Fi connectivity, including in rural areas. It was felt that this would promote equality of access for learners/families who do not have access to

these facilities. Professional learning to support practitioners' digital skills/literacy was also a key support request.

135. All stakeholder groups requested that Education Scotland support messaging and communications with stakeholders around expectations for learning at home. Particularly the message that parents or carers are not being expected to create the same learning experiences as in schools. There were some concerns that parents or carers were feeling overwhelmed by trying to create the same learning experiences as in school. These requests also highlighted the need to ensure wellbeing and safety at home were the main priorities at the time.

136. All stakeholder groups requested support around staff wellbeing. Several of these requests referred to: mental health concerns; practitioners feeling under pressure (reference was made to negative press criticism); using ICT; and staff being outside their 'comfort zone'. Others asked for advice on supporting their staff health and wellbeing, including doing this without being too intrusive, or on team building remotely. Specific suggestions for support included: setting up a telephone action line; reminders to take breaks from computers; guidance on resources or support; providing wellbeing webinars; that the current Education Scotland Wakelets continue to be developed.

137. Wakelets are an online content tool which allow the user to bookmark, organise, collaborate and present on content all in one platform. Education Scotland used the Wakelet format to support practitioners to find all key resources, materials and Scottish Government guidelines at the time in one space organised by curriculum area, sector or common pedagogy.

138. Requests for support were used to inform the development of a set of refocused Education Scotland priorities in the subsequent updated Corporate Plan. They were delivered through the development and implementation of Scotland Learns, resources for both practitioners and parents and carers for learning at home, the development of the National e-Learning Offer and the development with Scottish Government of a package of workforce support. Other requests were delivered through aspects of work such as professional learning events which were already established. All intelligence was used to inform discussions with CERG as to the overall pandemic response.

139. As well as bespoke requests to stakeholders to understand the needs of the system during this time, in the early stages of the pandemic, daily calls were also made by senior Learning Directorate officials to Education Scotland's Senior Regional Advisers to get an accurate and up to date understanding of how the situation was at local authority level.

140. Thereafter there was ongoing engagement, dialogue and sharing of advice and guidance to local authorities and the wider sector. Education Scotland's Senior Regional Advisers were in almost daily contact with local authorities from the first day of school closures. They captured intelligence on the level of critical provision in place and to advise Scottish Government officials and Scottish Ministers on issues arising. This daily communication continued until June 2020, when updates began to focus on the developing plans for when schools could reopen.

141. While the requirement for daily engagement and dialogue with local authorities was a change to our usual working methods, it was an extension of pre-existing processes between local authority officials and Senior Regional Advisers and officials to support areas of need.

Attendance

142. Local authorities in Scotland have the responsibility to ensure good attendance at school and continued to do so during the specified period. Within all local authorities, regular online meetings were held to discuss a range of issues, including attendance. Scottish Government Analytical Services provided daily data on attendance to Ministers.

143. Education Scotland Senior Regional Advisers (SRA) used this data to monitor attendance across local authorities and discuss any practical support it could provide. SRAs were asked by Scottish Government to undertake an exercise to look at how local authorities were supporting the most vulnerable pupils to attend. As many Education Scotland staff remain registered teachers, some of our staff volunteered directly to support frontline early learning and childcare practitioners, teachers and local authority officers within the hubs, increasing the numbers of children and young people who were able to attend the hubs.

144. Since the pandemic, increased unauthorised absences from schools have posed a challenge around the world, including Scotland, particularly in respect of senior years of school.
145. In the academic year 2023 to 2024, school attendance in Scotland was at a 10-year low. Attendance was on a downward trajectory before the Covid-19 pandemic. Since the pandemic, the data shows a sharper drop from 92% in 2020 to 2021 to 90.2 % in 2022 to 2023. In the academic year 2023 to 2024, the attendance rate was 90.3%. This is an increase of 0.1% since the previous year but the second lowest rate since comparable figures began in 2003/04.
146. The rate of persistent absence (pupils who were absent 10% or more of all half days) decreased from 32.5%, of all pupils, in 2022/23 to 31.4% in 2023/24 but remains substantially higher than the pre-Covid-19 level of around 20%
147. Data shows a clear poverty-related attendance gap. In addition, pupils with additional support needs also attend less than those without needs.
148. Certain groups are more vulnerable to low attendance. These groups include;
- Children and young people impacted by poverty:
 - Secondary-aged pupils:
 - Children and young people who have experienced care (looked-after):
 - Young people from Gypsy and Traveller communities.
149. Due to this system-wide concern about reduced levels of attendance, an analysis was carried out by Education Scotland, resulting in 'Improving Attendance: Understanding the Issues' being published in November 2023 [NR8/27 - INQ000530409].
150. The findings of that report included that:
- Engagement is as important as attendance
 - All absence can affect progress
 - Certain groups are more vulnerable to low attendance

- The causes of absence are multifaceted
- Themes of culture, systems, and practice can provide helpful structures when considering approaches to improving attendance and engagement
- School should work in partnership with families
- Early warning systems should initiate intervention
- There is variation across LAs and schools in how data is used to support attendance.

151. Since that report, Education Scotland has launched resources to support improving attendance. The first of the resources was published on 30 August 2024 and were designed through consultation with stakeholders to address the five recommendations in the Improving attendance and understanding the issues report. A second set of resources, offering practical advice on what is working, was published in March 2025.

152. Education Scotland also developed a Scotland wide offer and a bespoke offer targeted at six local authorities initially. The Scotland wide offer was a one-day conference held in November 2024, on using QI tools, exploration of ES resources, exemplification of effective strategies, opportunities for collaboration. This was open to all local authorities and aimed at central staff with responsibility for improving attendance. It was delivered by Attainment Advisors (AAs) and other ES colleagues. The aim of this day was to increase awareness and capacity of local authority officers who are responsible for improving attendance, therefore increasing their knowledge and confidence to support schools.

153. The bespoke package involved working directly with targeted schools identified by the local authority, as well as a central officer with responsibility for improving attendance across the authority.

- Two days in person training (early October 2024) followed by four virtual sessions.
- Attainment Advisor for each identified local authority to attend, coach and support establishments in between sessions.

154. Following publication of the resources, data has been gathered from the attainment advisors working in each local authority. Almost all authorities have or are in the

process of reviewing authority level policy. Regular discussion take place between the Senior Regional Advisors and local authorities on both the impact of the work on attendance and any progress being made in improving attendance.

155. Regular engagement with established networks informs both the effectiveness and any further support and/or advice that may be required.

156. Initial evaluations have been completed from cohort one of the Improving Attendance Quality Improvement Programme. All participants indicated improved knowledge. Impact on attendance for the targeted groups is being monitored and will be shared after tests of change are complete. A full evaluation of the programme, both cohorts, is being undertaken from June 2025.

Safeguarding

157. The duty to safeguard and promote the welfare of children in Scotland sits with schools and local authorities within the policy context of Getting it Right for Every Child (GIRFEC) and they are responsible for monitoring and investigating individual safeguarding concerns. The responsibility for the development and management of GIRFEC and Safeguarding policy sits with the Learning Directorate in Scottish Government.

158. During the pandemic, and since, Education Scotland had a responsibility to promote the welfare and wellbeing of all children, young people and adults. We also had a responsibility to recognise and actively consider potential risks to a child, irrespective of whether the child is the main focus of our involvement, as set out in the National Guidance for Child Protection in Scotland.

159. As schools and local authorities held the responsibility to monitor and investigate safeguarding and child protection concerns prior to and during the pandemic, Education Scotland did not undertake any routine information gathering on heightened concerns about safeguarding children during the specified period. Any safeguarding or child protection concerns raised directly with Education Scotland would have been shared with the local authority to undertake any necessary actions in line with our safeguarding policy.

160. In line with our policy, [NR8/28 - INQ000620644]. Education Scotland prepares an annual safeguarding report. Reports from during and after the pandemic show that safeguarding concerns raised directly with Education Scotland did not increase between 2019 and 2020 but did begin to increase slightly from 2021 onwards. The nature of the concerns remained consistent with previous years. [NR8/29 - INQ000620645], [NR8/30 - INQ000620646], [NR8/31 - INQ000620647], [NR8/32 - INQ000620648].
161. As outlined previously, during the pandemic, Scottish Ministers continued to have the power to compel HM Inspectors of Education to conduct inspections of any kind, including special inspections, under section 66(1) of the Education (Scotland) Act 1980. During academic year 2020/21 Scottish Ministers requested that HM Inspectors conduct a special inspection in accordance with legislation on two occasions. Specifically, Scottish Ministers requested advice from HM Inspectors in accordance with section 66(1AA) of the 1980 Act following concerns about provision, this included safeguarding and child protection provision [NR8/33 - INQ000620714, NR8/34 - INQ000651494].

Food Security

162. In the initial phase of the pandemic, Scottish Government officials were working with local authorities to determine how the provision of Free School Meals (FSM) could be maintained in the event of school closures. Families entitled to free school meals were assessed as being a key priority group for support following school and early learning and wider childcare closures.
163. During school closures, arrangements were made immediately to ensure the continued provision of FSM, via hubs and in alternative form (e.g. vouchers, provision of ingredients to enable preparation of meals at home or direct payments) for children and young people who were eligible for free school meals. These arrangements were initially set out to local authorities in a letter on 19 March 2020. [NR8/35 - INQ000470115].
164. SRAs were asked to gather information from local authorities on how they were supporting the children of key workers, S4-S6 educational continuity and support for vulnerable children; including how they were providing food to pupils entitled to FSM [NR8/36 - INQ000620650, NR8/13 - INQ000620630, NR8/37 - INQ000620652]. This

information was gathered over a number of days and passed on to Scottish Government. In discussions with local authorities, SRAs continued to revisit whether there were any issues regarding access to food and offer support if required.

165. In undertaking the first exercise to look at FSM, local authorities were asked the same questions regarding their provision.

- What changes were they making to provision and why?
- What processes are in place to ensure those entitled to FSM are receiving them?
- What plans are in place for distribution over the spring break?
- What criteria have you used to determine which children should receive free school meals?
- What can the Scottish Government do to help you?
- What further help do you need and from whom?

166. Authorities reported using a range of approaches in ensuring that vulnerable children received their FSM entitlement. These included delivering meals directly, making financial payments, the provision of vouchers, making food available for collection. Many authorities advised they were using more than one approach.

167. Education Scotland provided Ministers with an update on this initial exercise in April 2020 which focused on the changes in approach being implemented by each local authority and on the challenges that local authorities were facing with the provision [NR8/38 - INQ000530397]. At that time there had been a decrease in the number of authorities who were delivering food or making it available for collection in hubs and an increase in financial payment and vouchers.

168. Local authorities reported several challenges about reaching all eligible children including difficulty contacting families, low uptake by vulnerable children in hubs, issues receiving bank details, and concerns on how to ensure that money was spent on food. There were also concerns over funding for free school meals over the summer break.

169. Education Scotland continued to collect information on free school meal provision through its daily update process until schools returned at the end of the first lockdown.

Expanding the remote learning offer

Supporting learning at home

170. In the early stages of the pandemic, Education Scotland quickly reviewed existing materials and developed new materials to support both teachers and parents. This included Parent Club materials, advice to parents and practical activities. The aim was to offer good quality materials and advice and to ensure that teachers who required support in areas such as digital skills were able to access it as quickly as possible.

171. On 24 March 2020, based on dialogue with the sector on requirements prior to closures, Education Scotland's Digital Skills Team launched an extensive professional learning website, with resources, to provide teachers and practitioners with easy access to materials and resources. These were shared online through DigiLearn in Wakelets and covered the eight curriculum areas and sector areas based on needs. Materials were also produced around themes including creativity and careers education (Developing the Young Workforce). Education Scotland also provided help, through webinars, tutorials and online materials, for practitioners to develop the appropriate digital skills in order that they could use online resources to support pupils' remote learning at home. Between March 2020 and July 2020, 40 webinars were delivered with 3,953 attendees. From August 2020 to April 2021 194 webinars were delivered with 8,606 attendees. Examples have been included in general disclosure.

172. Education Scotland staff engaged with ELC, schools and local authority colleagues across Scotland to identify and share effective practice. This included highlighting approaches to assessment, adapting the curriculum and providing motivating learning activities for children and young people.

173. In recognising that lockdown conditions presented unique and previously uncharted challenges for families in supporting children and young people to learn, Education Scotland also began considering, during the lockdown period March to June 2020,

how best to support the continuity of learning at home. Following discussions during meetings of CERG, advice was therefore provided to the Deputy First Minister on 1 May 2020 about support for learning at home, with the aim of recognising and complementing the effective work already being carried out by practitioners and local authorities across Scotland. Advice centred on the mixed economy across Scotland with regards to access and provision of learning and teaching and the socio-economic factors meaning that all children and young people did not have access to the internet or online platforms. The proposal was to develop and provide additional resources in a concentrated effort to broaden the reach of learning activities and curriculum programmes so that all children and young people could benefit from a range of high-quality learning opportunities.

174. On 14 May 2020, Education Scotland launched Scotland Learns [NR8/39 - INQ000620655]. The website provided a resource bank of straightforward, open-ended learning activities to develop children's and young people's learning experiences and encourage independent learning. The learning opportunities offered were focussed on literacy, numeracy and health and wellbeing; interdisciplinary learning challenges covering at least two other curricular areas and a weekly creativity challenge. They were designed to support children and young people to be successful in their learning and achievement.
175. This work was governed by an internal Education Scotland Workstream group, Workstream C, and reported to the Education Scotland Leadership team.
176. On 17 June 2020, following a decision at a Leadership Team meeting on 10 June 2020, Education Scotland officials provided additional advice and information on the delivery of Scotland Learns to support learning at home to the Deputy First Minister [NR8/40 - INQ000620656].
177. A decision was sought on whether to continue to publish the resources over the summer break. Education Scotland officials proposed to Ministers to pause weekly publications and issue a summer edition. Views were also sought on plans to move from resources for both practitioners and parents to just practitioners in August 2020 to support the return to school for pupils.
178. The Deputy First Minister requested further advice on 22 June 2020 [NR8/41- INQ000620657] as to whether pausing the weekly publication of materials would be

helpful to parents, given the interruption children had already had to their formal learning. Education Scotland officials advised the Deputy First Minister that this proposal had been based on feedback from the National Parent Forum for Scotland and Connect Scotland. Both stakeholders had indicated that they would welcome the pause and had raised concerns about the pressures on parents during that time. Considering the feedback from stakeholders, the Deputy First Minister accepted the proposals for support with home learning on 27 June 2020 [NR8/42 - INQ000620658].

179. Education Scotland took the decision to change the frequency of the resources from weekly to fortnightly in August 2020. The final publication of learning activities in Scotland Learns was February 2021. Materials were transitioned into the National e-Learning Offer. This was agreed by the Workstream Governance group at its meeting of 19 January 2021 [NR8/42 - INQ000620658].

Support for digital practices in remote learning

180. While the immediate focus of Education Scotland's work following the first school closures was in helping to support continuity in children's and young people's learning at home. Further national support was necessary for schools and authorities to access as they sought to support remote and online learning.

181. Education Scotland supported the delivery of remote learning at a national level through the National e-Learning Offer, engaging in an unprecedented close working relationship with e-Sgoil (live offer), the Association of Directors of Education in Scotland (ADES) and local authorities (recorded resources). This allowed support and challenge of the National e-Learning Offer (NeLO) offer and embedded a strong focus on quality assurance of resources from the start.

182. The key aim of the 'national e-Learning offer' was to help ensure a coherent national offer of support for e-learning that complemented and integrated with that available in schools, centres, local authorities and RICs.

183. Education Scotland officials provided advice to the Deputy First Minister outlining the development of a 'National e-learning Offer' in June 2020 [NR8/43 - INQ000530048, NR8/44 - INQ000520402]. This offer supplemented and complemented what was available locally, building on the extended offer already

made available to schools across Scotland by e-Sgoil during the first lockdown in March 2020 as part of their term 4 pilot [NR8/45 - INQ000520400].

184. Within the Term 4 e-Sgoil pilot national offer, support was offered for both Broad General Education (BGE) and Senior Phase. In Scotland BGE is the phase of the Curriculum for Excellence that spans from early learning and childcare to the end of S3 (the third year of secondary school). It aims to provide children with a wide range of knowledge, skills, and experiences, preparing them for the next phase of their education and life. The senior phase takes place from S4 to S6 in schools and includes ages 16 to 18 out of school. It is the phase when a young person will build up a portfolio of qualifications and continue to develop the knowledge, skills, attributes and capabilities of the Curriculum for Excellence.

185. E-SGoiL support for senior phase learners included lessons for those about to embark on National Qualification (NQ) courses across 6 different languages. Learners had opportunities to engage in live lessons through 6 week courses to help start their NQ studies at N5, Higher and Advanced Higher level during school closures. The offer also included BGE introductory language courses and environment courses and activities.

186. The e-Sgoil programme developed significantly across the subsequent months, covering Broad General Education and Senior phase, study support sessions, a focused Easter study support offer prior to completion of the Alternative Certification Model arrangements and other aspects. It subsequently developed into a key part of what became the National e-Learning Offer.

187. At the time of advice to Ministers in June 2020, over 3,800 learners had been involved in e--Sgoil activities during school closures in Term 4, including nearly 2,700 learners who benefited from new additional offers. In addition, online tutorial support for mathematics through YouTube received over 28,000 views.

188. A national Programme Group with representation from ADES, Scottish Government, Education Scotland and West Partnership guided the offer. Staff with curriculum area specialisms and the curriculum design team both observed live lessons and recordings and were heavily involved as co-creators of the offer. This ensured a strong and comprehensive oversight of the offer.

189. This work complemented Education Scotland's continued provision of digital pedagogy support via online webinars and digilearn.scot.
190. Education Scotland published an Equality Impact Assessment for the offer in August 2020 [NR8/46 - INQ000620663].
191. On 4 November 2020, Education Scotland officials provided further advice to the Deputy First Minister on the National e-learning Offer, in advance of a meeting with him. The NeLO now consisted of three key elements all brought together in one searchable web page: Live, Recorded and Supported. All three of these offers covered early level, BGE, and the Senior Phase [NR8/47 - INQ000620664].
192. Primarily the live element was led by e-Sgoil; the recorded element, consisting of short, filmed lessons created by Scottish teachers, was led by ADES and the West Partnership's West Online School (WestOS); and Education Scotland co-ordinated 'Supported' online resources from its own Scotland Learns, BBC Bitesize, Scholar and other high quality online sources. This included assessments, practical experiments, research, and revision resources.
193. The Implementation Group wrote to all Directors of Education on 4 December 2020 outlining the new elements of the National e-learning offer [NR8/48 - INQ000620665].
194. The National e-learning offer continued to develop and provide additional online support to schools even after the full time return of all pupils was announced by the First Minister for after the Easter holidays, week beginning 19 April 2021.
195. Guidance issued in March 2021 [NR8/49 - INQ000322427] by the Covid Education Recovery Group indicated that the National e-Learning offer should be one aspect of contingency planning used by local authorities and schools to support pupils in the event of any further disruption.
196. An Easter Senior Phase study programme was developed and ran between 6 and 16 April 2021, providing webinars for more than 60 SQA courses. The standard senior phase Study Support programme then resumed as normal from week beginning the 26 April 2021 until mid-June 2021.

197. Content for the 2021/22 session was developed to provide additional support to teachers to complement their regular provision or where they may have been balancing face-to-face with some remote learning.

Monitoring remote learning

198. The Scottish Government's Strategic Framework for Reopening Schools and ELC Provision, published in May 2020 [NR8/50 - INQ000182758] recognised a need to evaluate the standard of remote learning as well as plans for recovery which came later.

199. During the initial period of school closures in Spring 2020, there was monitoring of quantitative data on access and use of the Glow platform. Admin consoles for Office 365 and for Google Workspace provided detailed information around which services (or aspects of these productivity suites) were being accessed by users across local authorities and schools. That data enabled Education Scotland to understand where there were peaks or troughs in Glow usage across the country and therefore discussion where further support for use of the services could be offered.

200. In June 2020, local authorities were asked to develop Phasing Delivery Plans for reopening schools and ELC provision in Scotland. These plans had to meet the needs of local communities and incorporate the principles and expectations set out in the Strategic Framework for Reopening Schools, ELC provision and associated guidance. The Deputy First Minister asked HMIE to undertake a review of all local authority phasing delivery plans. A summary of the report is provided, [NR8/51 - INQ000521864].

201. In the subsequent period of school closures from December 2020 onwards, remote learning was monitored comprehensively. Education Scotland also worked with partners and stakeholders to develop and publish national expectations for remote learning on 8 January 2021, building upon the experiences of the early pandemic and offering national expectations around remote learning. This document established a set of national 'entitlements' that Education Scotland would expect all learners in Scotland to have delivered through their curriculum. Whilst operating at a lower level in this instance, the concept of entitlements is built into Curriculum for Excellence and the refreshed narrative and would have been familiar to educators.

202. The entitlements were as follows:

- learning opportunities which reflect the principles of Curriculum for Excellence, allowing learners to develop their knowledge, skills, and attributes in a variety of relevant contexts and across curriculum areas;
- access to appropriate physical resources where needed – this might include learning materials, textbooks and / or digital devices;
- on-line resources that will be consistently used across learning to aid interaction, assessment, and feedback;
- regular high quality interactive learning and teaching using technology or other remote methods;
- a balance of live learning and independent activity;
- access to key learning which is available for learners to revisit as often as necessary;
- ongoing dialogue, reflection, and feedback with practitioners in relation to their own learning; daily registration/check in for every learner, recognising that the format for this may vary depending on the age and stage of learners;
- regular opportunities for engagement with other pupils to support learning, as well as informal engagement; and
- due regard for learner well-being and safeguarding.

203. From January 2021, HM Inspectors developed national overviews of practice in the delivery of remote learning through engagement with local authorities, schools, parents, children, and young people. The purpose of the national overviews was to:

- learn what was working well and share this widely to celebrate success and support consistency in the quality and effectiveness of delivery of remote learning;
- surface the challenges and/or issues so that these can be addressed, either locally or nationally, as appropriate;
- identify what further assistance is required to continue to improve the delivery of remote learning so that relevant support can be provided at local and/or national level.

204. HM Inspectors published 12 overviews of practice on a range of themes. The first report, focused on local authority planning and guidance to support schools and

settings. Engagement with local authorities began on 11 January 2021 and included a review of local authority support and guidance and the approaches each local authority was taking to the delivery of remote learning. The report published on 29 January 2021 [NR8/52 - INQ000182875].

205. HM Inspectors began engagement with schools and settings during the week beginning 18 January 2021 on a series of topics. The engagement consisted of online and telephone discussions about approaches to the delivery of remote learning.

206. The following key principles applied to engagement with schools:

- HM Inspectors engaged with a sample of schools across all local authorities. This included a combination of primary, secondary, and special schools. Schools were agreed in advance with local authorities.
- Engagement was undertaken online or by telephone. There was no request of schools to provide specific information, including documentation, in advance or as part of the discussion.
- Engagement comprised of professional dialogue and reflection with school leaders and, if possible, practitioners.
- The focus was on the delivery of remote learning. The three areas that were covered were: what is working in your own context; what are your concerns and any challenges; and what further support do you need?
- There was no direct observation of learning episodes or lesson delivery. It was not an inspection of an individual school and there was no grading or individual school report.

207. HM Inspectors engaged with parents/carers, children, and young people about their experience of remote learning. Online national surveys received 12,105 responses from parents/carers and 2,667 responses from children and young people. In addition, HM Inspectors engaged with 27 parents /carers and 201 children in online focus groups.

208. HM Inspectors published a series of 12 national overview reports weekly between January and March 2021. Where effective practice was identified, HMIE worked with the school and local authority to capture this and share it more widely. Themes for these reports included a focus on ensuring learning entitlements for children and

young people, meeting learning needs, including those with additional support needs, and supporting pupil engagement, participation, and motivation. HM Inspectors did not observe any virtual classes as part of this work. Evidence was gathered through professional dialogue with headteachers. HMIE National Overviews have been included as part of general disclosure.

209. Usage data for the live offer through e-Sgoil was readily available throughout the pandemic and was actively shared by e-Sgoil officials and discussed at weekly meetings etc. At times weekly data was fed through to Scottish Government as specific focus was required and this established a high standard of monitoring that continues today. Sometimes the nature of remote learning inevitably meant that specific data could not be guaranteed (for example a recording or live lesson joined in a classroom by a teacher relies on the self-reporting of the teacher as to how many learners were present) but self-reporting was used as an indicator to inform any assumptions made on the total number of users. Depending upon the media, different data was available but overarchingly Total Views and Unique Viewers was held as the main data set. All elements of the NeLO maintained and innovated ways of gathering feedback on the offer including focus groups, work with Young Scot, questionnaires, and polls. Usage data for West Partnership's West Online School (WestOS) was available at a high level to the NeLO partners and was actively monitored behind the scenes by WestOS itself to identify areas for increased support. In some cases, data, especially via Glow accounts, was able to identify where increased support was needed geographically and across the curriculum areas and ages, allowing new offers to be tested and scaled up or down accordingly.

210. As outlined, Glow usage was monitored using existing usage reports that detailed overall use (by unique user and login numbers) and by local authority. These do not reflect all online learning as many local authorities use other digital platforms and tools as well as, or instead of, Glow.

211. Data was consistently and constantly used to evolve the changing remote learning offer through NeLO. For example national Scotland's Assemblies were created and based on changing levels of usage as the pandemic affected the needs of teachers and learners: this was first scaled up to a fortnightly experience, adapted down to focus mainly on primary learners as a main user, timings were changed based on feedback from teachers and usage figures, an investment in the 'watch again' value was made based on the increasing use of recorded assemblies, and finally the offer

was scaled back to monthly and then 'key events' as schools returned to in-person assemblies with restrictions lifted and live viewers dropped. They have continued to evolve since the pandemic and still offer a value to any learners and schools that are short staffed or requiring remote learning for any reason.

212. Education Scotland jointly published an e-Sgoil impact report in June 2021, [NR8/53 - INQ000182834] which attempted to reflect on and learn from the experiences of online education during the pandemic. This has been provided and detailed in the statement by Neil Rennick DG Education and Justice for module 8 provided to the Inquiry on 30 May 2025.

Blended learning

213. The Scottish Government's Strategic Framework for Reopening Schools and ELC Provision was published on 21 May [NR8/50 - INQ000182758]. The Strategic Framework was jointly developed by the Scottish Government and local government, with support from key partners across the education and early learning and wider childcare systems through CERG and its sub-groups. It set out considerations on a blended model of in-school and at-home teaching for school-age children, and prioritisation of access to contact time in ELC. For school age children this would mean only certain groups of children and young people being in school at any one time, with others learning remotely. A key driver for the blended learning approach was the potential need for physical distancing in schools, based on the rate of infection at that time and projections.

214. In support of this blended learning approach, on 22 June 2020, Education Scotland published guidance for schools on models of blended learning including the flipped classroom model [NR8/54 - INQ000530371].

215. A 'flipped classroom' model is where learners are encouraged to undertake important aspects of learning before a face-to-face session with their teacher.

216. The Education Endowment Foundation published research by Rudd, et al. (2017) looking at the impact of a flipped classroom approach. They found that the approach led to +1 month of progress across 24 schools and 1,100 learners. This increased to +2 months progress in learners eligible for free school meals.

217. Although this study was conducted in a traditional school model, it was believed that a flipped classroom could provide some helpful considerations for utilising remote learning while maximising the impact of face-to face teaching as we move through and out of the Recovery Phase.

218. While the flipped classroom model was included as part of the blended learning guidance, local authorities determined how best to implement a blended learning approach to suit their school circumstances and local needs. Education Scotland did not monitor whether any schools utilised the flipped learning approach.

Strengths and challenges in delivering remote learning

Access to technology

219. One of the key barriers to delivering remote learning is access to technology. As already outlined, the Glow services, were already in place and had been used prior to the pandemic for resilience and continuity of education at local level in the event of school closures. In some of the early communications to local authorities during March 2020, schools were encouraged to make use of Glow to ensure continuing provision of education in the event of school closures. When it became clear that schools may have to close at scale, the Glow team took a number of preparatory actions:

- Worked with suppliers to ensure storage and processing capacity was increased to deal with the expected surge in demand
- Agreed with RM Education to increase their helpdesk levels (in addition to the technical changes to RM Unify) so that user enquiries could be dealt with promptly
- Updated the website Glowconnect, which provides information about Glow and its use to teachers, learners and parents. This strengthened information for parents who would be supporting their children's learning at home
- Increased the frequency of meetings with Glow Key Contacts from monthly to weekly. Each local authority was invited to nominate at least one Key Contact who works closely with the Education Scotland team and local users on all operational matters.

220. In the first two days of remote learning, some users experienced delays in logging on to Glow given the very high number of active users but this was quickly remedied and no loss of service of Glow was experienced throughout the pandemic.
221. As outlined, it was quickly recognised that there was a need for further national support and options for schools and authorities as they sought to support remote and online learning which led to the development of the National e-Learning offer already detailed in our response.
222. As with Glow, e-Sgoil was already operating both nationally and online through their supply teaching offer and had been experimenting with harmonised timetables and region-wide remote learning offers. This meant that, with Glow offering a national platform and DigiLearn offering national support and professional learning, Scotland began the pandemic in a very strong position. As such there were no substantial delays to the expansion of the provision. e-Sgoil held the expertise and experience in-house to work effectively and through rapid recruitment were able to upscale at pace, supported by almost daily meetings with Education Scotland staff and then the NeLO partnership.
223. Glow can be accessed from any device and any location. Not all users had access to appropriate devices for learning from home. The provision of devices is not within the scope of Education Scotland's remit, but the Glow team worked closely with Scottish Government colleagues as they developed policy and released funding to increase access to devices. They also worked with local authorities who were rolling out devices.
224. Local authorities and individual schools are responsible for the curriculum of their own learners and as such it would be for them to balance the quantity of on-screen remote learning with independent activities off-screen.
225. A national discovery report (service design) was undertaken and published in July 2021 [NR8/55 - INQ000620672] to ensure that the NeLO and national delivery of remote learning policy was informed by the very latest understanding of user needs. This offered a unique insight into the diverse needs of learners from a range of contexts including those requiring additional support.
226. The national overview reports also noted in regard to the digital divide that all local authorities took steps to improve children's and young people's access to remote

learning. All local authorities considered issues of digital inequity and used their resources to support access to digital tools and Wi-Fi for learners. Local authorities provided many learners with personal devices. All utilised additional funding, from both Scottish Government and council budgets, including the Digital Inclusion Grant to purchase digital tools for learners and staff. In a few local authorities, effective partnerships with colleges and universities, and local businesses supported the provision of refurbished digital devices. All local authorities were experiencing challenges in relation to the sufficiency and supply of information and computing technology resources, including devices and Wi-Fi access for learners and staff. Poor bandwidth and digital infrastructure, and unreliable connectivity for some teachers and children and young people were limiting access to online approaches to remote learning. Local authorities were aware that, in some cases, children and young people had access to a single shared device within the home, which was supporting the learning of a number of children within the home.

227. Some schools used funding schemes, such as Pupil Equity Funding (PEF), to purchase tablets to support families who faced socio-economic challenges. PEF is allocated directly to schools and targeted at closing the poverty related attainment gap. This funding can be spent at the discretion of the headteacher. Other examples included distributing vouchers from a telecommunications company offering free data for mobile users and working in partnership with local businesses to distribute refurbished laptops to young people. Despite these pro-active approaches, schools were still aware that some children and young people did not have access to digital devices or connectivity.

National Overviews

228. The overviews also found other strengths and challenges in relation to delivering remote learning, summarised below. [NR8/52 - INQ000182875, NR8/56 - INQ000182876, NR8/57 - INQ000182877, NR8/58 - INQ000182878, NR8/59 - INQ000182879, NR8/60 - INQ000182880, NR8/61 - INQ000182881, NR8/62 - INQ000182882, NR8/63 - INQ000182883, NR8/64 - INQ000182884, NR8/65 - INQ000182885, NR8/66 - INQ000182886].

Online teaching compared to face to face

229. In most schools, teachers quickly developed their skills to use digital platforms to support learning. This included live on-line learning, pre-recorded teaching, daily differentiated tasks and family learning topics. Most schools used a range of interactive activities each day. The balance of live and independent learning improved during the different periods of school closures. However, this varied greatly from school to school.

230. By the second period of school closures, almost all schools provided daily check-ins for children and young people. This helped increase the engagement of children and young people in learning. Almost all primary schools prioritised numeracy, literacy, and health and wellbeing. Most schools used a range of approaches to support learning across other aspects of the curriculum, including inter-disciplinary learning to support learning across expressive arts, social studies, science and physical education. However, this was not consistent across all schools.

231. In almost all secondary schools, the full timetable was delivered with some changes to the style of delivery in practical classes. A few schools reported that a priority was given to the senior phase. Overall, the breadth and depth of curriculum offered to children and young people by schools was variable, particularly in relation to the delivery of practical subjects, and for young people in S1-S3 [NR8/55 - INQ000620672]. Parents and learners felt that this was having a negative impact on the development of skills.

Engagement

232. Improving engagement and motivation in learning remained a key priority for schools. Schools reported that the engagement of children and young people in remote learning had improved since the first period of school closures in March 2020. A few schools described using approaches to identify varying levels of engagement. This supported staff to identify where learners' engagement was not as strong as it could have been, for example, within particular subjects or year groups. Using this data, senior leaders alerted young people and their parents and carers to any concerns and provided support to increase participation. Secondary schools took steps to improve engagement by adapting approaches to remote learning delivery. This included teachers providing more structured learning and teaching sessions in the early stages of the week and finishing the week with summaries of learning and

quizzes to check understanding, particularly in the broad general education [NR8/62 - INQ000182882].

233. Overall, schools were providing a range of remote learning and teaching activities so that learners were not engaging in online learning for the entirety of the day. The increased use of digital technologies led to changes in the way teachers engaged with learners and parents. Almost all schools reported improved engagement levels of children and young people in remote learning compared to the previous lockdown. Most schools developed approaches to monitor levels of engagement and used this information to identify learners not engaging.

234. Schools highlighted that the majority of children and young people were confident in using technology to support their learning. However, they recognised that some younger children were reliant on a parent to support them to access remote learning. In addition, some parents might not have had the confidence or skills to help with online or digital access. Schools described how teachers made every effort to provide technical support and assistance, but schools identified that more support for parents was required [NR8/59 - INQ000182879].

235. Almost all primary schools prioritised learning in literacy, numeracy and health and wellbeing. In addition, some schools were making use of specialist teachers to deliver aspects of the curriculum such as physical education and music. In almost all secondary schools, young people received their full curriculum offer. Headteachers in a few secondary schools personalised the curriculum for individuals by allocating more time to health and wellbeing activities to support their needs. A number of schools highlighted the challenge of delivering practical subjects remotely to all young people, particularly those with complex additional support needs [NR8/58 - INQ000182878].

236. Whilst children and young people were provided with a range of remote learning activities, the balance of live learning, independent activity and pre-recorded lessons varied greatly from school to school [NR8/56 - INQ000182876].

237. Local authorities acknowledged that, whilst many children and young people had access to 'live' learning within the remote learning offer, this was not yet consistently available to all. Whilst it was recognised that remote learning would not replicate face-to-face in-school teaching in style, approach or duration of delivery, there was

an expectation that children and young people experienced regular high quality interactive learning and teaching using technology or other remote methods. Almost all local authorities reported that they were concerned about the impact of school closures and remote learning on young people's access to learning and teaching leading to certification in the senior phase.

238. Overall, there was more work to be done at the primary stages to ensure children were learning across the breadth of the curriculum. Whilst it was recognised that remote learning would not replace face-to-face in school teaching, there was an expectation that children and young people would receive learning opportunities which reflected the principles of Curriculum for Excellence, allowing learners to develop their knowledge, skills and attributes across the curriculum [NR8/56 - INQ000182876].

239. A majority of learners in primary school and just under half of learners in secondary school said that the amount of work that they had to do was about right. Parents of primary school children had similar views, although a lower percentage of parents with a child at secondary school (59%) said the work was about right. A significant minority of learners in secondary school said that they had too much work [NR8/57 - INQ000182877].

240. A few schools expressed concern that young people who undertook vocational qualifications, for example foundation apprenticeships, were not engaging as well with online learning as their peers who undertook National Qualifications [NR8/55 - INQ000620672].

Different groups of children

241. Schools had responsibility for planning, organising and delivering remote learning which met the needs of all children and young people. Schools recognised the importance for children and young people, who required additional support in their learning, of being able to achieve success in a range of ways. In all schools, staff aimed to ensure that they maintained regular contact with children and young people who required additional support with their learning. Most schools worked in partnership with other agencies to support children and young people with additional needs. This included educational psychologists, teachers specialising in autism, and speech and language therapists. Some schools provided access to places in hubs for

those children and young people affected by bereavement or those who were emotionally vulnerable. In the best examples, approaches to remote learning for children and young people with additional support needs were based clearly on individual support plans that contain relevant targets [NR8/58 - INQ000182878].

242. Schools continued to hold child-planning meetings remotely to ensure progress and learner needs were reviewed regularly. Schools were deploying specialist and support staff in a range of ways to help meet children and young people's needs. Across sectors, there were positive examples of teachers adapting learning in a variety of ways to meet the needs of learners. These included providing a choice of topics to reflect children and young people's interests, and flexible timescales that allowed learners to work at their own pace. For many schools, the nature and type of children's and young people's additional support needs determined the balance of live learning and independent activity. Headteachers reported that in planning learning, staff considered that some children and young people might have found it challenging to complete activities independently, and consequently, provided more live learning [NR8/58 - INQ000182878].

243. Schools used a range of approaches to provide feedback to learners about progress with learning. This included written feedback, the use of digital voice-notes and face-to-face feedback. Headteachers reported that teachers found it more challenging to provide effective feedback to children and young people with additional support needs. In school monitoring and tracking the progress for some learners with complex needs would usually be carried out through direct observation of learning. There were a few examples where parents captured and shared tasks that their children were doing to allow teachers to review progress. Across all sectors, schools reported that they would have welcomed further professional learning and guidance on how to assess progress of learners through remote delivery [NR8/58 - INQ000182878].

244. In most special schools HM Inspectors engaged with, learners were receiving a blend of remote and in-school learning for all or a part of their day depending on their needs. These schools were providing bespoke packages of support for individual learners tailored to their needs. Schools recognised the need to widen their curricular offer and continued to develop approaches to supporting individuals and families. [NR8/56 - INQ000182876].

245. Local authorities and schools described the progress they made in ensuring that children and young people with complex learning needs had access to appropriate resources. Schools provided individual learners with assistive technology, communication aids and digital equipment to support their specific communication needs and to interact digitally during learning. Schools recognised that there were children and young people with complex needs who did not learn best through digital approaches. For these learners, physical packs containing tactile sensory resources and learning aids were developed and distributed [NR8/64 - INQ000182884].

246. Overall, more work needed to be done to meet children's learning needs, including ensuring remote learning took account of children's additional support needs. A few parents of children and young people with additional support needs spoke positively of the level of contact and support their child had with their school. However, this was variable and some parents of children requiring additional support reported they received little or no support, or communication, from their child's school. They reported that this created anxiety within the family home [NR8/57 - INQ000182877].

247. In emerging good practice, practitioners and partners collaborated to provide children and young people in Gaelic Medium Education with live and recorded learning, and resources designed for independent learning. This was not consistently available to all. Providing learning in immersion was more challenging when children and young people did not benefit from opportunities to converse and learn through Gaelic at home [NR8/56 - INQ000182876].

Safe spaces to learn

248. The support that staff provided in relation to health and wellbeing was reviewed by most schools after feedback was received from children and young people. As a result, school staff reflected on and improved the range of interventions and activities they used to support wellbeing. This included support for those experiencing increasing anxiety, feelings of isolation, disconnectedness and worries about family and friends. For example, schools had an increased focus on internet safety, cyberbullying, relaxation strategies, resilience and the importance of sleep. School staff continued to adapt the learning environment to maintain the safety of children, young people, staff and the wider community [NR8/63 - INQ000182883].

249. Between 20 and 25 January 2021, Education Scotland ran two national surveys, one for parents and carers and another for learners. The surveys received 12,105 responses from parents and carers and 2,667 responses from learners [NR8/57 - INQ000182877].

Parent and Carer survey results	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't Know
Primary: I am confident the school supports my child to stay safe online	31.6%	41.1%	16.1%	5.5%	2.9%	2.7%
Secondary: I am confident the school supports my child to stay safe online	21.7%	44.7%	18.9%	6.7%	3.2%	4.8%

250. Effective learning, teaching and assessment remained central to ensuring children and young people progressed in their learning. Headteachers reported that most of their teachers were using a range of approaches to provide regular feedback to learners on the individual learning tasks they were completing. Approaches included written feedback, voice recorded feedback and feedback during discussion sessions as part of live learning. Headteachers reported that appropriate, meaningful and timely feedback to children and young people was challenging in the remote environment. While schools continued to develop creative approaches, they remained concerned about how well learners were coping with the levels of tasks. Schools reported that it was often difficult to judge how much support learners received at home and therefore, how much they could do independently [NR8/56 - INQ000182876].

251. Most local authorities were proactive in developing effective partnership approaches to support wellbeing and safeguarding. They made good use of services such as educational psychology and community partners to provide online support and clear signposting to advice and guidance for practitioners, children and young people and their families. This included guidance for staying safe online, coping with bereavement and loss and support for children with additional support needs [NR8/52 - INQ000182875].

Learner survey results [NR8/57 - INQ000182877]	Yes	No	Don't know
I have all the materials I need to use when learning, such as pencils, paper and class textbooks	86.1%	11.9%	2%

252. Most parents strongly agreed or agreed that they had appropriate resources and equipment, including technology, to enable their children to access remote learning. Most learners could access online learning [NR8/53 - INQ000182834].

Parent and Carer survey results [NR8/57 - INQ000182877]	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree
Primary: We have the appropriate resources and equipment, including technology, to enable my children to access remote learning.	37%	41.4%	7.6%	10.6%	3.4%
Secondary: We have the appropriate resources and equipment, including technology, to enable my children to access remote learning.	39.7%	42.3%	7.2%	8.2%	2.7%

Support for remote learning

253. Local authorities were acutely aware of the pressures and demands on families as lockdown continued. For some, this may have been related to unemployment or working from home. For other families, they may not have felt confident in supporting their child's learning at home. Schools outlined the referral mechanisms they had in place to ensure that learners and their families had access to help and resources for example, via community-based interventions or individualised support within learning hubs. The use of home-school workers, support staff, and work with partner agencies

helped to meet the needs of children and young people. All schools supported vulnerable families, including many who had experienced bereavement, or were affected by isolation. Almost all schools highlighted that some children and young people were neither engaging regularly in their own learning nor with staff. Schools described how staff reached out to learners who were not attending planned lessons and activities, and encouraged and supported them to re-engage with their learning. However, schools would have benefited from additional, targeted support and resources to help children and young people engage, and cope with the impact of Covid-19 on their wellbeing [NR8/53 - INQ000182834].

254. In the survey, most learners said that they had contact with their teacher to check in on how their learning was progressing. This was higher in primary school (75.9%) than in secondary school (67.4%). In the survey, a majority of parents said that they were satisfied with the support their child received from their teacher to complete remote learning. This was lower for secondary school (51.1%) than for primary school (61.7%) [NR8/57 - INQ000182877].

Parent and Carer survey results [NR8/57 - INQ000182877]	Yes	No	Don't know
Primary: Does your child have the opportunity for daily check-ins?	64.5%	32.5%	3%
Secondary: Does your child have the opportunity for daily check-ins?	51.5%	37.9%	10.6%

255. Almost all local authorities used Glow, with schools accessing a wide range of online resources such as recorded lessons, exemplar material and additional support needs resources and materials. Local authorities reported that data indicated that these resources were being used by increasing numbers of class teachers to shape learning activities. A few local authorities developed local digital platforms, including virtual learning environments and virtual schools or academies. These were providing learners with the opportunity to access learning at times that best suited them and allowed for reinforcement and extension of learning. A number of local authorities described a range of daily or regular 'check in' approaches being used by schools.

However daily contact with learners was not yet a consistent feature of practice across all local authorities [NR8/52 - INQ000182875].

256. Most learners said that they felt safe when working and learning online. The majority of learners either agreed or strongly agreed that they received support from their school when they needed it. This was higher in primary schools (73.3%) than in secondary schools (62.1%) [NR8/57 - INQ000182877].

257. In most schools, headteachers reported that pro-active measures were being taken to contact families to identify barriers to participation and engagement, discuss progress, assess wellbeing and offer support [NR8/56 - INQ000182876].

258. Education Scotland worked with partners and stakeholders to develop and publish national expectations for remote learning on 8 January 2021 [NR8/67 - INQ000530087]. HM Inspectors engaged with local authorities and reviewed local authority planning and guidance for the delivery of remote learning during the week beginning 11 January 2021. There was a clear acknowledgement that schools needed to maintain their focus on planning, organising and delivering and evaluating remote learning for children and young people. HM Inspectors recommended the need to develop and implement, at pace, approaches at local authority level to assure the provision of high-quality remote learning delivered by individual schools. Further work was needed to ensure a consistent approach to the delivery of -high-quality remote learning across all schools and by all teaching staff.

Online Safety

259. Glow includes a "Report a Concern" (RAC) function on each application that allows any user to report any problems or worries about Glow. They can report materials they have found, functions that do not work, behaviours that are inappropriate or, indeed, anything that they believe needs to be actioned. RAC is monitored seven days a week during daytime hours and alerts a member of the Glow team. Education Scotland report incidents to the relevant local authority where individuals are involved or impacted.

260. In addition to this online route, we support a Glow enquiries email inbox direct or via Education Scotland's enquiry channels or our supplier RM Education.

261. Glow also runs a number of tools which monitor components of the service to identify content or behaviour which may indicate a cause for concern.
262. When we moved to remote learning, the key issue for Safeguarding was the use of cameras by learners. Ideally, teachers would be able to see learners and learners could see each other when learning is taking place virtually. This is important for all learning but particularly vital for some groups of learners (for example, deaf learners) and the teaching of practical skills including musical instruments. There were concerns, including the ability to obtain consent from other people in the learner's space and inappropriate behaviours from learners. For those using Google Classroom through the Glow platform, this was deemed tolerable for two reasons – local authorities have their individual tenancy so could decide to allow cameras for learners or not based on their assessment of the risk / benefit balance and Google provided a function that allowed teachers to disable a learner's camera when necessary. Microsoft is a single instance in Glow accessed by all users and functions are either on for all or off. The Glow team advised ADES of the position, and it was agreed not to allow cameras for learners until we could provide this remote off switch for teachers. Microsoft worked to make the necessary changes to their products and cameras for learners were enabled in Glow on 5 August 2020.
263. In the weeks leading up to the first lockdown, Education Scotland shared a range of Wakelets with resources on all curriculum areas. This also included a Wakelet with links to Cyber Resilience and Internet Safety resources for practitioners [NR8/68 - INQ000620685]. Working with the Regional Improvement Collaboratives Education Scotland had regular contact with local authorities.
264. Digilearn.scot also hosted resources for practitioners on the main page for Cyber Resilience and Internet Safety and a specific cyber resilience and internet safety page for the ELC sector was launched via webinar during Cyber-Scotland week in February 2021. Education Scotland linked with the National Cyber Security Centre, the Scottish Childminding Association and the Care Inspectorate to plan the session and share invitations.
265. During the lockdowns the Digital Skills team at Education Scotland delivered specific sessions for staff on Cyber Resilience and Internet Safety. Education Scotland delivered online webinars for teachers from the first day of school closures. From March 2020 - March 31, 2021, Education Scotland delivered 227 webinars

reaching 12,256 teachers. This included 16 sessions on Cyber Resilience and Internet Safety.

266. We understand that the issue of online safety for children during the pandemic is being extensively explored as the inquiry has requested further information from the Scottish Government. The Scottish Government's Directorate for Children and Families response will be able to provide further clarity on the role Scottish Government took in relation to the issue of online safety for children during the pandemic.

The impact of the pandemic on learning and education

267. In January 2021, Education Scotland and the Scottish Government jointly published an Equity Audit to share understanding of the impact that Covid-19 and the closures of school buildings, early learning, and wider childcare settings had on children from disadvantaged backgrounds. The audit set clear areas of focus for accelerating recovery and supported how the Scottish Government implemented the Scottish Attainment Challenge (SAC) in 2021/22 and beyond. The mission of SAC is to use education to improve outcomes for children and young people impacted by poverty, with a focus on tackling the poverty-related attainment gap and is supported by £1 billion over the course of this parliamentary term (2021/2022 – 2025/2026). That support was increased from £750 million during the previous parliament. The Equity Audit focussed particularly on the impact of the school building closures from 20 March 2020 to the early stages of re-opening of schools on 11 August 2020, provided [NR8/69 - INQ000530197].

268. Several key themes emerged from the evidence review and from the school-based interviews conducted as part of the Equity Audit. These themes, or key factors behind educational experiences and attainment during this period, were broadly categorised as:

- Health and wellbeing support - Most Scottish stakeholders, along with the published evidence, identified that both the mental and physical health and wellbeing of children and young people may have been negatively impacted during school building closure. Children and young people reported missing the social aspect of school and the daily interactions with friends and teachers
- Digital infrastructure and connectivity - Evidence pointed to the importance of access to technology (devices and connectivity) for children and young

people. Where there were gaps in such access – with socio-economically disadvantaged children and young people potentially being most negatively affected - this had a direct impact on the home learning experience and the engagement of children and young people

- Support to parents and families - Remote learning was effective in some cases; this was dependent on specific conditions such as parental support and access to digital devices and connectivity. Effective communication between schools and families was key to the ongoing support for children and young people. Collaboration with partners proved essential in enabling schools to better identify vulnerable families and put in place tailored support
- Teaching provision and the quality of learning - International evidence generally shows that school building closures are likely to have had a negative effect on children and young people's progress and attainment, with children and young people who are affected by socio-economic disadvantage being amongst those who may have been most affected. Moving to models of online learning required schools to adapt teaching and learning practices. Children in the early years of primary or those starting secondary were most likely to see a negative impact on their progress
- Support for teachers and the wider workforce - Additional support for staff, parents and children and young people increased confidence and knowledge regarding the use of digital technology; this remains a priority. In addition, for staff, digital pedagogy remains an additional focus for continued professional learning.

269. Education Scotland jointly published an e-Sgoil impact report in June 2021, which attempted to reflect on and learn from the experiences of online education during the pandemic, [NR8/53 - INQ000182834]. e-Sgoil is an eLearning platform launched in the Western Isles which developed into a nationwide community for online teaching and learning.

270. As a result of the evaluation carried out throughout the impact assessment, the following next steps were taken by e-Sgoil Senior Management Team and supported by partnership working with Education Scotland:

- maintain the online school ('live') option as part of National e-Learning Offer (NeLO) and the Covid-19 contingency plans

- continue to offer a range of programmes and opportunities for learners from Early Years to Senior Phase
- continue to widen the curriculum offer for learners
- increase personalisation and choice in the Senior Phase to include niche subjects and delivery on the Northern Alliance Collaborative Online Curriculum Opportunities (COCO) project
- enrich the curriculum offer for Primary and Secondary which includes working with partners
- increase the e-Sgoil provision
- develop the Gaelic Medium Education offer
- continue core business of providing supply cover and resilience for schools
- develop links to partners across the Northern Alliance to help support and supplement learner transitions from P6-S1
- align offers to coincide with a school calendar i.e. offers for Senior Phase (COCO and Developing the Young Workforce) needs to be with schools before the timetabling exercise begins to maximise engagement
- continue to work in partnership with Education Scotland to support curriculum innovation, design and pedagogy.

271. Education Scotland also prepared a report, dated May 2022, that examined a range of approaches taken to support improvement and recovery in establishments nominated by local authorities across Scotland, [NR8/70 - INQ000530282]. As part of Scottish Government's Education Recovery: Key Actions and Next Steps, HM Inspectors of Education committed to undertaking national thematic reviews. The national thematic overviews were the approach for monitoring remote learning after the second lockdown and were agreed as part of the Scottish Government next steps publication.

272. The Education Scotland May 2022 national report provided the independent view of HM Inspectors of Education about effective practice. It was intended to stimulate professional reflection and dialogue of local approaches adopted to support recovery. Findings include:

- resilient staff across schools and settings who have shown great resolve in managing the challenges of the pandemic while also implementing improvement to support children's and young people's learning

- greater emphasis on support to improve the mental and emotional wellbeing of children, young people and their families
- staff building on existing practices to support children and young people to make progress
- strengthened approaches to parental engagement
- recognition that the pandemic has impacted on skills and attributes of children and young people
- increased need to support senior leaders with their own wellbeing
- the impact of continued absence to supporting continuity of learning.

273. In September 2022, HM Inspectors of Education published a new report highlighting features of effective community development practice in response to Covid-19 [NR8/71 - INQ000620688]. As part of Scottish Government's Education Recovery: Key Actions and Next Steps, HM Inspectors of Education committed to undertaking national thematic reviews. These thematic inspections promote improvement by sharing more widely 'what works'. This report outlined how the Community Learning and Development (CLD) sector and its partners are helping to secure better outcomes for individuals most marginalised or socially isolated during and since the pandemic.

274. HM Inspectors visited 23 settings and engaged with learners, volunteers, practitioners, local authorities and national and third sector organisations to gather evidence.

275. The findings focus on the key themes of:

- Community response;
- Volunteering;
- Partnership working;
- Digital access and workforce development; and
- Planning for the future and next steps.

276. Education Scotland resumed its ELC and school inspection programme in September 2022. The evidence below is based on the National Improvement Framework for Scottish Education - Inspectorate Evidence report 2023-2024 [NR8/96 INQ000548306] through a sample of inspections carried out in public schools and funded early learning and childcare (ELC) provision between August 2023 and June 2024.

277. For context, when reporting findings, HM Inspectors use the following terms to describe numbers and proportions.

- Almost all – over 90%
- Most – 75% - 90%
- Majority – 50% - 74%
- Less than half – 15% - 49%
- Few – up to 15%

Attainment

278. HM Inspectors evaluated schools' success in achieving the best possible outcomes for all children and young people. This focused on children's and young people's progress and attainment across all areas of the curriculum. It included schools' ability to demonstrate improvements in children and young people's achievements in relation to skills and attributes.

279. The majority of primary schools engage in activities for both internal and external moderation of national standards. In the senior phase, almost all approaches to moderation of national standards are strong. Moderation activities in the broad general education (BGE) that are focused on planning and assessment remain necessary to support teachers in making valid and reliable professional judgements about children and young people's progress and attainment.

280. In most primary schools, children are making good progress in literacy/ English and numeracy/ mathematics. Where progress is good or better, senior leaders and staff have or are improving their use of robust tracking of attainment over time to be able to identify appropriate interventions and support improved progress and attainment.

281. In most secondary schools, young people are achieving CfE literacy and numeracy at third and fourth levels. For the majority of secondary schools, interventions and approaches to support young people's attainment in literacy and numeracy in the senior phase are having a positive impact.

282. The wider range of participation, engagement and achievement opportunities offered to young people in the majority of secondary schools is also impacting positively on their skills and attainment.
283. In most primary and special schools and half of secondary schools, staff have a strong understanding of the social and economic context of their school and the impact of the poverty related attainment gap. These primary and special schools have effective arrangements or are improving arrangements to engage wider stakeholders in how the Pupil Equity Fund (PEF) is utilised for greatest impact on outcomes for children and young people. Staff use a range of strategies to identify progress, attainment, and other gaps.
284. Most primary schools plan for appropriate PEF interventions based on a sound knowledge of the needs of the most disadvantaged children. Staff across sectors work collaboratively with a range of partners to improve outcomes and raise attainment and achievement.
285. Senior leaders across all sectors need to continue to focus on monitoring and evaluating the impact of improvement priorities and changes on learners. Leaders need to continue to improve the analysis of data and other information about the impact and effectiveness of improvement approaches and the use of performance and attainment data to identify learners who would benefit from additional support.
286. In half of secondary schools, teachers' robust tracking of attainment over time helps to identify appropriate interventions and support improved progress and attainment. The majority of primary and special schools also need to develop more robust tracking of children and young people's attainment over time. This would help staff to identify appropriate interventions and capture and measure children's and young people's emergent skills and attributes over time.
287. Less than half of primary and secondary schools demonstrate effective or improving use of assessment and moderation to support a shared understanding of national standards. To improve, teachers need to continue to develop a shared understanding of national standards, including assessment evidence that underpins their professional judgement of achievement of a level. This will allow schools to produce more reliable data on children and young people's progress and achievement of CfE levels.

288. Across most primary and secondary schools, staff would benefit from developing their confidence in using a wide range of data to more effectively plan, track and monitor progress and attainment over time.

289. The majority of primary and secondary schools provide children and young people with opportunities for achievement. However, there continues to be a need to improve the monitoring and tracking systems for young people's achievements and wider skills development in less than half of primary, secondary and special schools. This would further ensure equitable participation for those young people at risk of missing out in wider achievement.

290. Just over half of primary and secondary schools and half of special schools demonstrate the impact of PEF-funded interventions on closing the poverty-related attainment gap for the most disadvantaged children and young people. Staff across all sectors should continue to develop systematic approaches to measuring the impact of funded interventions on accelerating progress for children and young people affected by deprivation.

Attendance

291. Since the pandemic, challenges with increased unauthorised absence from school have been reported worldwide and have been experienced in Scotland, particularly in the senior years of school. The 'Improving attendance and understanding the issues' report was published by Education Scotland in November 2023 and aimed to provide an understanding of the issues that impact attendance and how local authorities might support increased attendance and reduced absence with support where appropriate from Education Scotland and Scottish Government.

292. Overall, national attendance rates are yet to recover fully from pre-pandemic levels. In 2023/24, the national average attendance rate was 90.3%, a slight increase from 90.2% in 2022/23 but considerably lower than the 93% recorded in 2017/18.

293. Of the schools inspected, a majority had attendance levels above or in line with the national average for academic year (AY) 2023/24.

294. In the majority of primary and secondary schools staff use appropriate systems to report and monitor attendance. In the best examples, staff use well-planned targeted support and have proportionate tracking and monitoring systems which often involve partners to help children, young people, and families to address underlying barriers to regular attendance. There are examples of staff working alongside family workers to provide individualised practical support for families, including visits to the home and after-school support. The majority of special schools need to develop more systematic approaches to support and monitor school attendance.

Elective Home Education

295. As outlined above, local authorities do not have a statutory duty to hold data on children living in the authority who are receiving elective home education. There is therefore no reliable available data to support a national overview of numbers of children in elective home education.

Children's behaviour and engagement with learning

296. The majority of ELC settings, primary, secondary and special schools continue to meet the range of wellbeing, equality, and inclusion needs of children and young people well. In line with recommendations made in the Morgan Review: Support for Learning: All our Children and All their Potential (2020), staff across these sectors understand well the individual needs of children and work effectively with families and partners to identify and support children's individual needs.

297. In most primary schools and ELC settings and in a majority of secondary schools, children and young people feel safe, nurtured and have regular contact with an adult they trust. In almost all special schools children and young people feel safe and nurtured. They have regular contact with a trusted adult where relational approaches create a climate of respect. Senior leaders across all sectors promote cultures of trust, respect and positive relationships to meet children and young's wellbeing, equality and inclusion needs.

298. Across all sectors staff use their knowledge of children and young people as individuals to provide effective support for their wellbeing and behaviour. There are various examples of staff demonstrating their skilled use of calm interactions with children and young people who require support to moderate their behaviours and

emotions when upset. Other children and young people benefit from daily emotional 'check-ins' with teachers.

299. In the special sector, most staff use well-planned routines, clear instructions and structures to enable positive learning and behaviours to support children and young people make progress across the curriculum. For example, staff support young people sensitively if they become dysregulated or distressed using a range of strategies including:

- modelling to support concept understanding
- breaking down tasks into smaller steps and;
- providing emotional language to aid expression.

300. This helps young people remain calm and engage with their learning.

301. The majority of primary, secondary and special schools should focus on improving pace of lessons. This would reduce opportunities for children and young people to disengage from a task or activity, demonstrate low-level behaviours and distract others.

Provision for children with complex additional needs

302. The term 'severe and complex support needs' can be used to describe children and adults with multiple barriers to learning such as communication, cognition, sensory (vision & hearing) and physical. The population of individuals with Profound and Multiple Learning Difficulties (PMLD) are often also included within the 'Complex Needs' description. Some autistic children and young people may also be described as having complex support needs due to the complexity of their communication, cognitive and sensory difficulties.

303. Children and young people with complex needs are supported in a range of education settings including special schools, mainstream settings and split time between enhanced provision and mainstream setting of special school. As was the case prior to the pandemic, since the pandemic, most children with additional support needs are educated in mainstream schools but some with complex or specific needs educated in special schools.

304. In line with the Additional Support for Learning (Scotland) Act 2004, as amended, children and young people with complex or complexity of needs are assessed through the local authorities staged level of intervention and have the highest level of planning and support. There will be variation across the 32 local authorities on their levels of intervention and recording processes due to the devolved nature of education to local authorities and variations of contexts they are in.
305. The following observations were recorded by HM Inspectors on ASN provision across the range of settings where support is provided.
306. Children with ASN are making appropriate progress across literacy/English and numeracy/mathematics in most primary schools.
307. Within special schools, staff use the CfE guidance for those children and young people who are able to make progress within or through early to fourth Level of the CfE. For children and young people who are progressing within or through pre-early level, special school staff use the 'Milestones: Supporting learners with complex additional support needs' guidance alongside the CfE to support tracking of nuanced progress at the pre-early level and to promote consistency in professional language in reporting progress.
308. In line with the Morgan Review (2020), staff in most primary schools, the majority of secondary schools and half of special schools engage with systems and procedures to meet their statutory duties. For example, senior leaders ensure that staff teams regularly engage with mandatory professional learning in areas of safeguarding and child protection and that there are procedures to ensure cyber-safety and resilience. Staff in the majority of primary, secondary and special schools undertake professional learning to support their knowledge and practice relating to wellbeing, equality and inclusion.

Safeguarding

309. During the specified period, the most frequently identified urgent and non-urgent areas of improvement observed by HMIE were related to school, centre, and campus security, administration of medication, and child protection/adult support and protection training.

Regional Early Speech and Language Leads

310. In January 2023, Public Health Scotland reported an increase in speech, language, communication and developmental concerns recorded at the 13 to 15 month and 27 to 30 month Child Health Reviews compared to the pre-pandemic period [NR8/72 - INQ000620689].
311. As a result of this data, the Scottish Government funded six Regional Early Speech and Language Leads which Education Scotland host and support [NR8/73 - INQ000620690]. The roles support improvement and closing the gap in health, developmental and educational outcomes for children and young people across Scotland. Linking to the developing national theory of change on children's speech, language and communication development from pre-birth to 5.
312. It's too early in the initiative's life for Education Scotland to monitor how effective the measures will be, however the project includes an evaluation strategy and Education Scotland published a draft analysis of conversations with primary stakeholders (Health Visiting Leads, Senior ELC Officers and Speech and Language Therapy Leads) from all 32 local authority areas in Scotland. This report highlights the level of concern held by practitioners in relation to early communication needs of young children (pre-birth to school entry) [NR8/74 - INQ000620691].

Scottish Attainment Challenge

313. The Scottish Attainment Challenge is an initiative which aims to achieve equity in educational outcomes, with a particular focus on closing the poverty-related attainment gap. Equity can be achieved by ensuring every child has the same opportunity to succeed. The First Minister launched the Scottish Attainment Challenge (SAC) in February 2015 to bring a greater sense of urgency and priority to this issue.
314. In November 2021, following the findings of the Scottish Government and Education Scotland report, Closing the poverty-related attainment gap: progress report 2016 to 2021, [NR8/75 - INQ000528786] the Cabinet Secretary for Education and Skills announced plans for the next phase of SAC for 2022/23 to 2025/26. The main aim of the refreshed initiative was to support recovery from the pandemic and accelerate progress in closing the gap [NR8/76 - INQ000620693].

315. The refreshed Scottish Attainment Challenge was launched in March 2022, introducing a number of changes to the programme at national, regional and local level. This includes the introduction of Strategic Equity Funding (SEF), replacing Challenge Authority and Schools Programme Funding, and Local Stretch Aims through the Framework for Recovery and Accelerating Progress.

316. The Scottish Government's programme, from 2022/23 committed to;

- an annual investment of up to £200 million in 2022/2023 to support children and young people impacted by poverty;
- continued empowerment of headteachers through Pupil Equity Funding (PEF) as the primary model for distributing funding to the education system, with funding of approximately £130 million annually to be allocated to 97% of schools;
- continued investment to support Care Experienced Children and Young People (CECYP funding), contributing to keeping the Promise;
- the introduction of Strategic Equity Funding (SEF) of over £43 million, which will be distributed annually to every local authority based on Children in Low Income Families Data;
- investment in national programmes to enhance supports across the system, supporting a range of national initiatives such as youth work and mentoring; and
- a broader recognition of children and young people's achievements and attainment through the refreshed mission.

317. All local authorities participate in SAC and are required to set stretch aims. These represent key elements of local authorities' ambitions for recovery and accelerated progress for the three-year period of 2023/24 to 2025/26.

318. Whilst the different contexts and starting points for local authorities' stretch aims mean that there is a range of ambition across the country, the overall aggregated aims present a positive picture of ambitions for progress.

319. Education Scotland provides support to local authorities and schools as they work to make progress towards their aims through the ongoing engagement of Senior

Regional Advisors and Attainment Advisors and its work with ADES to undertake a programme of collaborative improvement.

320. In the first year of recovery from the pandemic, Education Scotland assessed and published the Recovery and Progress Report 2021-2022 [NR8/77 - INQ000620694]. The report provided an overview of progress during 2021-22 and the impact of next steps outlined in the Closing the poverty-related attainment gap: progress report 2016 to 2021 [NR8/75 - INQ000528786].

321. During the period April to June 2022, attainment advisors, in collaboration with SAC local authority project leads, gathered evidence from each local authority regarding progress with the SAC in the year 2021-22. A number of high-level questions provided a framework for gathering evidence and included the following questions on educational recovery;

- Do you ensure that our plans are straightforward, clear and distinctly focused on recovery?
- Do you keep your elected members and other stakeholders informed about the impact of COVID-19 on the most disadvantaged learners and progress in closing the poverty-related attainment gap?

322. The report highlighted while local authorities had strived to make progress on their stretch aims during the first recovery year, that this had not been without its difficulties because of the pandemic.

323. Education Scotland continue to monitor the SAC by publishing National Summary Reports are part of the SAC reporting cycle [NR8/76 - INQ000620693, NR8/78 - INQ000620696]. They provide updates on the implementation and delivery of the SAC. Attainment advisors collaborate with their associated local authority to produce reports. Reports include strategies for improving equity and outcomes for children and young people who are impacted by poverty.

Pupil Equity Funding

324. PEF was introduced as part of the Scottish Attainment Challenge programme in 2017/18. It is additional funding allocated to schools and targeted at closing the poverty-related attainment gap. Considering the disruption caused by Covid-19, in

2021/22 schools received an additional uplift to their PEF, known as Pupil Equity Fund premium to support education recovery efforts for children and young people impacted by poverty.

325. Between November 2021 and January 2022, Education Scotland Attainment Advisors met with local authority officers and with headteachers or nominated staff from schools across each of the 32 local authorities to discuss their approaches to PEF. These discussions were structured around a series of key questions to explore how the use of PEF was supported, implemented and monitored.

326. Education Scotland published a report Pupil Equity Funding: Looking inwards, outwards, forwards in March 2022 [NR8/79 - INQ000620697]. It found that school building closures and remote learning because of Covid-19 led to adaptations of PEF plans during academic years 2019/20 and 2020/21. In supporting the most disadvantaged young people during the period of school building closures, schools identified barriers to learning and responded to the changing needs of those learners affected by poverty. Schools have welcomed the flexibility provided by Pupil Equity Funding premium to support recovery efforts for children and young people impacted by poverty. This is allowing them to adapt to changing needs within their school communities.

327. The report also included case studies of schools who had used their PEF to mitigate the impact on children and young people as a result of the pandemic. One example of this was at Aith Junior High School in Shetland where, during the period of remote learning, learning support workers provided individual support to vulnerable learners. The school recognised that this bespoke approach had improved communication and further strengthened relationships with identified families and learners. A substantial increase in learners experiencing anxiety while transitioning from remote learning to in school learning, has been observed by the school. Learners in S2 had been identified as finding this challenging. PEF interventions were adapted to target these learners during the recovery period.

Education Scotland's data about and assessment of the impact of the pandemic on children in early years and childcare settings

Inspection of early learning and childcare pre pandemic

328. Section 46 of the Children and Young People (Scotland) Act 2014, defines early learning and childcare as a service, consisting of education and care, of a kind which is suitable in the ordinary case for children who are under school age.
329. In Scotland, both Education Scotland and the Care Inspectorate have a role in inspecting early years and childcare settings. The Care Inspectorate is the national regulatory body for the ELC sector in Scotland and every ELC setting in Scotland must register with them. The Care Inspectorate has statutory obligations under the Public Services Reform (Scotland) Act 2010 to inspect the standard of care in all ELC settings and, where appropriate, provide services with improvement support.
330. Education Scotland inspect the quality of education in ELC settings including settings run by local authorities such as nursery classes, nursery schools, and family centres. It also included settings run by private and voluntary providers, and independent school nursery classes. HM Inspectors inspection activity of ELC is outlined in the annual scrutiny plan. Activity includes routine inspections, further inspections and thematic inspections.
331. The inspection model carried out by HM Inspectors is one of improvement as well as quality assurance. The approach is designed to provide necessary independent assurance to stakeholders while also working with providers to identify strengths and areas for improvement taking into consideration each individual context. Findings from inspection inform the development of education policy and practice. The premise of the approach is that settings take responsibility for the quality of education which they provide and be committed to continuous improvement. Its centrepiece is a set of quality indicators contained in the HMIE quality framework: How Good is our early learning and childcare? [NR8/80 - INQ000620698].
332. HM Inspectors value the knowledge, skills and expertise of current practitioners from across sectors and services. In almost all inspection teams, we are joined by practitioners from the relevant sector. These practitioners are known as Associate Assessors or Professional Associates. The extensive use of Associate Assessors brings a number of benefits to inspection but it also directly promotes the dissemination of practice around the education system.

333. From 1 January 2012 to 30 June 2016, HM Inspectors inspected the quality of education in 709 ELC settings. They were involved in further inspections of primary schools with ELC settings.

334. During 2017 to 2020, HM Inspectors inspected ELC settings gathering evidence on personal and social education/health and wellbeing, numeracy and mathematics, effective use of assessment within the broad general education, addressing the poverty-related attainment gap, and developing the young workforce. This evidence, alongside inspection evidence, provided HM Inspectors' professional view on what was working well and areas for improvement and to inform national policy.

Changes during the specified period

335. On 13 March 2020, Education Scotland took a decision to pause all inspection including in early learning and childcare settings. There was growing pressure and uncertainty facing education establishments due to the changing situation with Covid 19. It was also anticipated that education establishments might experience a reduction in staffing numbers and would have a need to protect staffing levels [NR8/21 - INQ000530049]. However, it continued to be the case that under section 66 of the Education (Scotland) Act 1980, Scottish Ministers could 'cause' an inspection, regular or special. In the event that Ministers were to 'cause' and inspection, HM Inspectors would have had a duty to carry it out.

336. It was believed to be vitally important that staff working in education could focus entirely on their own establishment (rather than on external scrutiny), on supporting their colleagues, pupils and communities and that additional pressure from inspection activity and professional learning activities would be unhelpful. During the inspection process, HM Inspectors work closely with pupils, staff, parents and communities for a sustained period of time and we believed our decision to pause this activity for this period would allow schools and education establishments to focus on their local business continuity plans and to support their staff, young people and communities.

337. It should be noted that when Education Scotland paused its inspections in March 2020, the Care Inspectorate did continue a reduced programme of inspection of registered childcare, including early learning and wider childcare settings.

338. During the suspension of our routine inspection programme, HM Inspectors of ELC settings worked alongside colleagues across Education Scotland to provide specific support to ELC settings as directed by Directors of Education, Heads of Scrutiny and Senior Regional Advisors. At the time, the range of support included individual coaching, professional learning to practitioners or region wide initiatives such as support for 'Realising the Ambition' and play pedagogy. There was a focus on engaging with settings who would have been subject to further inspections.

339. In November 2021, HM Inspectors gathered evidence in eight ELC settings and 14 nursery classes in primary schools on the main challenges schools and settings were facing in connection to supporting children's health and wellbeing.

340. In November and December 2021, HM Inspectors gathered evidence on successful approaches to learning outdoors from four standalone ELC settings and 13 nursery classes in primary schools.

341. During October 2021 - June 2022, HM Inspectors undertook recovery visits in 23 ELC settings and 57 nursery classes within primary schools to support the education system during the pandemic through:

- Hearing about current priorities for recovery or improvement
- Learning what was working well, the challenges faced and solutions found and;
- Identifying and sharing examples of effective practice.

342. The aim of the recovery visit engagement was to learn more about how the school or setting was addressing the impact of Covid-19 with a particular focus on continuity of learning and wellbeing of staff and learners. Following the visit, settings received a note of recovery visit. This document contained a summary of discussions during the visit and was not published.

Intelligence gathering

343. The Scottish Government led on the development and dissemination of regularly updated advice on the education of children under school age. Collaboration with a range of stakeholders, including Education Scotland, was key to providing advice which took account of the range of needs of children, families, and staff during the pandemic, including the learning and development needs of children in their early

years, within the context of ensuring the safety and wellbeing of children and staff. This is extensively covered in more detail in the Scottish Government's other witness statements for Module 8.

344. As with schools, Education Scotland's Senior Regional Advisers were in almost daily contact with local authorities from the first day of school closures. Intelligence included details about provision in ELC settings and ELC provision in local authority hubs. This daily communication continued until June 2020, when updates began to focus on the developing plans for when ELC provision could reopen.

345. Regular statistics on attendances and absences on the school information dashboard were published by Scottish Government, an example of which is provided, [NR8/81 - INQ000530057]. This included weekly infographic data in relation to children and young people, ELC and their associated workforce, such as the number of tests carried out (after February 2021 when testing became widely available to schools and early learning and wider childcare settings and staff), positive cases reported, and attendance and absence of both children and staff in early learning and wider childcare and school settings.

Support for early learning and childcare

346. From early in the pandemic (March 2020) it was felt that Early Learning and Childcare (ELC) practitioners were best placed to provide support to young children who attended their settings, recognising the pre-existing relationships with children and their families and their understanding of individual children's learning and development needs. For this reason, our focus was on providing curated sets of resources practitioners could select from, to best support the unique circumstances of their children and families, as well as raising their awareness and understanding of IT tools and platforms they could use to communicate with families in developmentally appropriate ways. This included demonstrating how practitioners could provide families with a way to respond remotely. These were supported by the provision of resource links on the Wakelet platform and through a series of webinars. In June 2020 Education Scotland published 'Supporting pupils and parents with learning at home: Guide for Early Learning and Childcare Settings and Schools' [NR8/82 - INQ000620699]. In February 2021 ELC specific guidance on supporting learning at home and family learning was also published on the Education Scotland website [NR8/83 - INQ000620700].

347. Education Scotland's early years guidance 'Realising the Ambition: Being Me' (Education Scotland, February 2020) [NR8/84 - INQ000620701], provided the foundation for the advice, with its focus of keeping children's needs at the centre of decision making and highlighting the key role of rights-based, nurturing relationships and responsive care in early education, with child-led play pedagogy driving practice. In relation to supporting children's early communication and language development for example, this resulted in advice on minimising the use of face masks in ELC settings and re-instating group nursery rhymes and singing as soon as the scientific evidence allowed. Following consideration of the risks and benefits, physical distancing between very young children and their key workers was not implemented in order to support healthy and developmentally appropriate social and emotional development. Increased use of outdoor learning to support children's ongoing access to high quality experiences and interactions was promoted both through national advice and professional learning sessions.
348. Education Scotland's support for the sector to mitigate the impact of the pandemic through learning at home is outlined above at paragraphs 170-179. Education Scotland also developed targeted support for the ELC workforce. A series of 'Being Me Blethers' were offered, linked to the national guidance 'Realising the Ambition: Being Me'. Seven 'blethers' were held between May 2020 and March 2021 and took the form of conversations on Twitter (taking account of the variable access to IT platforms across the sector). These focussed on aspects of ELC practice such as outdoor learning and transitions, and featured guests including early learning experts. The sessions were structured around questions and suggestions from the sector.
349. Professional learning resources on transition to primary school during the pandemic were also developed [NR8/85 - INQ000620702] and complemented by Wakelets to support practitioner knowledge and for them to share with parents.
350. Throughout the pandemic and subsequently, Education Scotland has supported the sector to use the early years national practice guidance (published February 2020) through online and in-person professional learning at national, regional and local level. While published immediately prior to the pandemic, the guidance is promoted in ways which reflect to the current context, including the need to mitigate for the impacts of the pandemic on children's learning and development. We have continued to support high quality ELC practice which is focussed on meeting children's needs

through our six part 'Pondering Pedagogy' professional learning programme. This programme considers child development; pedagogy and play; observation, interpretation and documentation; learning environments; planning for children's learning and development; and transitions.

351. In response to an identified need for clear and consistent messages which support early interaction and communication, Education Scotland has produced 'Chatting Together' [NR8/86 - INQ000620703] and has worked with partners to embed these in several universal family support offers. Chatting Together is an online resource developed following a series of stakeholder conversations across Scotland where stakeholders recognised that families could feel overwhelmed or confused when there are too many messages to take on board. To ensure parents were supported by clear, consistent and evidence informed messages, the National Early Language and Communication Team developed 4 Chatting Together messages for practitioners to share with families.

Monitoring Impact

352. HM Inspectors did not gather information regarding early years and childcare settings in a similar way to schools to avoid duplication of the Care Inspectorate regulatory function. Evaluative reports or analyses about the impact of the closure of early years and childcare settings on children during the pandemic were not therefore produced.

353. However, the enduring impact of the pandemic on children who were/are attending early years education is well documented through, for example, Public Health Scotland's COVID-19 Early Years Resilience and Impact Survey (CEYRIS) [NR8/87 - INQ000620704]. Public Health Scotland developed the COVID-19 Early Years Resilience and Impact Survey (CEYRIS) to find out about the experience, and impact of COVID-19 and the associated restrictions on our young children in Scotland. To date, there have been four rounds of the survey completed.

354. In January 2023, Public Health Scotland reported an increase in speech, language, communication and developmental concerns recorded at the 13 to 15 month and 27 to 30 month Child Health Reviews compared to the pre-pandemic period [NR8/72 - INQ000620689].

355. As a result of this data, the Scottish Government funded six Regional Early Speech and Language Leads which Education Scotland host and support [NR8/73 - INQ000620690]. The roles support improvement and closing the gap in health, developmental and educational outcomes for children and young people across Scotland. Linking to the developing national theory of change on children's speech, language and communication development from pre-birth to 5.

356. The Scottish Government's other witness statement for module 8 also provides detail on a range of impact assessments undertaken by their ELC and Learning Directorates.

Education Scotland's data about and assessment of the impact of the pandemic on children in secure establishments

Inspection of secure establishments pre pandemic

357. Secure accommodation service is a type of care services which must be registered with the Care Inspectorate to lawfully operate. Both Education Scotland and the Care Inspectorate have a role in inspecting secure establishments. The Care Inspectorate inspects and regulates registered care services (which are defined in section 47 and schedule 12 of the Public Services Reform (Scotland) Act 2010). Education Scotland inspect the quality of education in secure establishments.

358. Education Scotland works closely with the Care Inspectorate and may undertake joint inspections of secure establishments.

359. The Inquiry should note that Education Scotland is not a regulator of secure establishments.

360. Up to and including March 2020, HM Inspectors undertook an inspection programme, including of schools located in secure establishments.

361. There were four independent secure care providers at the time of pandemic, Kibble Safe Centre, Rossie Secure Accommodation, St Mary's Kenmure and Good Shepherd Centre, as well as one local authority secure provision in Edinburgh. This has subsequently closed.

362. The HM Chief Inspector determined the scale and priorities of the inspection programme to ensure that it fulfilled strategic priorities. This was undertaken in agreement with the Cabinet Secretary for Education and Skills, who could also commission specific inspection and scrutiny activity through the HM Chief Inspector. All inspection findings and outcomes were published and stored in line with agreed protocols.

363. There were four reports published by HMIE for independent secure establishments prior to March 2020:

- Kibble Education and Care Centre (September 2016)
- St Mary's Kenmure (May 2017)
- Rossie Young People's Trust (April 2018)
- The Good Shepard Centre (Jan 2014)

364. Reports published by HMIE for local authority secure establishments prior to March 2020 were as follows:

Edinburgh Secure Services

- a. Inspection published October 2015
- b. Further inspection published Nov 2016
- c. Further inspection published January 2018

365. In relation to independent secure establishments, 'The Registration of Independent Schools in Scotland Guidance for Applicants, Proprietors and Parents' [NR8/88 - INQ000620705] states that a link HM Inspector will conduct an Annual Engagement Visit (AEV) with schools to keep in contact and to provide support and assistance where appropriate.

366. The link HM Inspector's aim is to form positive working relationships with assigned schools. This is done through telephone/email contact, written correspondence, and the annual engagement visit.

367. The Registrar of Independent Schools (RoIS) can contact the link HM Inspector for professional advice or information about a particular independent secure establishment, where appropriate. This would include pre-registration of a new

school, a post registration inspection or any request made by the independent secure establishment to amend or alter its registration.

368. Prior to the pandemic, AEVs were carried out in person by the link HM Inspector once per academic session. Where the secure establishment had undergone a full model inspection, short model inspection or further inspection in the academic year, the HM Inspector did not conduct an AEV in that academic session unless directed to do so by the HM Chief Inspector, Strategic Director or a Head of Scrutiny. The link HM Inspector would write up a brief note of the AEV.

369. Before closing in June 2023, Edinburgh Secure Services was a local authority secure establishment under the management of Edinburgh City Council during this period. As such, the guidance for independent schools is not applicable and engagement and inspection activity with the school was in line with all other local authority schools nationally.

370. Specific information regarding AEVs undertaken or planned for academic session 2019 - 2020:

- Kibble Education and Care Centre did not receive an AEV as this was planned between March and June 2020.
- Rossie Young People's Trust did not receive an AEV as this was planned between March and June 2020.
- The Good Shepherd Centre was due to be inspected and had no AEV planned.
- St Mary's Kenmure received an in-person AEV in January 2020.

Changes during the specified period

371. On 13 March 2020, Education Scotland took a decision to pause all inspection and professional learning and leadership activity. There was growing pressure and uncertainty facing education establishments due to the changing situation with Covid 19. It was also anticipated that education establishments might experience a reduction in staffing numbers and would have a need to protect staffing levels [NR8/21 - INQ000530049]. Education Scotland's decision included the suspension of inspection activity in secure establishments. However, it continued to be the case that under section 66 of the Education (Scotland) Act 1980, HM Inspectors would

carry out an inspection at the request of Scottish Ministers who could 'cause' an inspection.

372. It was believed to be vitally important that staff working in education could focus entirely on their own establishment (rather than on external scrutiny), on supporting their colleagues, pupils and communities and that additional pressure from inspection activity and professional learning activities would be unhelpful. During the inspection process, HM Inspectors work closely with pupils, staff, parents and communities for a sustained period of time and we believed our decision to pause this activity for this period would allow schools and education establishments to focus on their local business continuity plans and to support their staff, young people and communities.

373. From August 2020, HM Inspectors engaged with schools across Scotland to provide bespoke help and support, contributing to the overall recovery of the education system. This engagement was also inclusive of secure establishments. The link HM Inspector maintained regular contact with their associated schools via phone calls, emails or online video meetings.

374. Prior to the pandemic, annual engagement visits focused on governance, leadership, safeguarding, curriculum, attainment and progress and improvement priorities. During the period March 2020 to June 2022, the link HM Inspector continued with this focus with particular reference to the impact of the pandemic. They maintained regular contact with their associated independent secure establishments via phone calls, emails or online video meetings. To provide continuity for independent secure establishments, the link HM Inspector undertook AEVs through online video meetings until restrictions allowed for in-person activity to resume safely.

Intelligence gathering and engagement

375. HM Inspectors maintained regular contact with all independent secure centres via phone calls, emails and video meetings throughout the pandemic.

376. Intelligence and concerns of secure centres was fed into the routine reporting arrangements of Education Scotland and communicated with stakeholders as necessary to ensure that support and guidance for secure centres was being appropriately considered as part of the wider pandemic response.

The quality of education, including vocational training and educational packs

377. Due to the pause in inspection in March 2020, information provided by senior leaders in the secure establishments was the main source of intelligence during the pandemic. HM Inspectors were unable to visit to triangulate this evidence during the stated period.

378. Messages from senior leaders of secure establishments conveyed that there was an overall impact on quality of education being delivered. Secure establishments did support remote learning packs for learners which were frequently supported by care staff. However, it was noted by link HM Inspectors that there was low value placed on education by some care staff. There were noted reductions to the school day and school week with occasional short and temporary closures of the school. During these periods, staff provided schoolwork to young people in their secure setting. Secure establishments had to carefully manage staffing and the potential transmission of the Coronavirus disease. This reduced access to in-person learning from subject specialist teachers and reduced learners' motivation to engage fully with learning.

The provision and frequency of education

379. During the pandemic, senior leaders of secure establishments were advised by link HM Inspectors to share relevant information regarding impact on the quality of education with the Registrar for Independent Schools (RoIS) or the link HM Inspector. Senior leaders of secure establishments shared appropriate contingency plans that they developed to provide continuity of education and learning for young people.

380. Information gathered by HM Inspectors through this contact, during the pandemic, and post-pandemic shows that young people in secure establishments continued to access their education through remote learning and blended approaches. Following reductions in restrictions, they accessed their education through in-person teaching within the secure care houses or small groups in school. Overall, this resulted in young people in secure establishments making progress in their learning. Their attendance and timekeeping were noted as concerns in some secure establishments.

Following the pandemic, all secure establishments were inspected. In one school, HM Inspectors noted that young people's planned time in school was "significantly lower than national expectations". It was evidenced that education staff worked flexibly to accommodate learning in the best place for young people. They maintained a focus on learning activities in literacy, numeracy and health and wellbeing.

The scope, quantity of, nature of support required and available to be provided to children with special educational needs ('SEND')

381. All young people in secure establishments have additional support needs. The key legal framework for pupils with additional support needs is set out in the Education (Additional Support for Learning) (Scotland) Act 2004.

382. During the pandemic, senior leaders of secure establishments shared that they all adapted their approaches to learning and teaching, according to their individual context. For example, all young people had an individualised care and education plan, or equivalent. Teachers designed young people's learning around these plans including making provision for those who, for example, were too anxious to work in small groups or with people from out with their 'bubble'. Some secure establishments had success in redesigning transition arrangements to support young people at important stages of their school journey. This helped them move to and from the school. In other schools, it was noted that senior leaders restructured staffing arrangements so that all learners had equitable access to teaching. They did this through forming education staff into teams and deploying them to agreed areas of the secure establishment.

Attainment

383. Overall, during the pandemic, secure establishments ensured young people continued to make progress in their learning. During this time, the link HM Inspector and senior leaders discussed the individual secure establishment's approach to ensuring children and young people attained as highly as possible during the pandemic. Following the pandemic, all secure schools were inspected. In secure schools, overall, all children and young people made at least satisfactory progress, with most making good or better progress.

Attendance

384. During the pandemic, secure schools continued to promote young people's attendance and engagement in school activities. Throughout the specified period, HM Inspectors and senior leaders from secure establishments discussed each school's individual approach to ensuring children and young people maximised their attendance during the pandemic. Attendance and timekeeping were noted as lower in some schools as a result of the pandemic. Many of the learners were reported as presenting with significant anxiety, fear of failure and struggling with new routines. However, in one school, it was noted that engagement had increased. There were fewer significant incidents, fewer physical restraints and classes had felt more settled generally.

Activities and learning on offer in secure settings

385. During the pandemic, secure schools explored how best to provide children and young people with meaningful learning activities. Senior leaders were confident that they were continuing to deliver a progressive broad general education for learners in secure establishments. They used a range of remote learning, blended learning and in-person teaching. As a result of the secure nature of the establishments, outdoor learning was more limited beyond using existing outdoor social spaces.

The physical settings for the provision of education

386. A few secure schools explored how they could improve the school campus to enhance their provision for children and young people's education. Information provided by senior leaders to the link HM Inspector exemplified how one secure establishment improved its indoor space to provide a more positive environment to develop young people's wellbeing. Overall, secure establishments utilised secure houses, classrooms and outdoor social spaces to provide education for small groups of learners or for individuals.

Levels and training of staff, and child-to-staff ratios

387. Overall, over the specified period, secure establishments continued to support staff with relevant professional learning. Secure establishment's training focused on

trauma informed practices or ways to promote improved wellbeing, child protection and safeguarding, and where appropriate, refresher training for reducing the requirement of physical interventions. Training was provided online during periods of pandemic restrictions.

Safeguarding in secure establishments

388. Throughout the specified period HM Inspectors and senior leaders continued to have discussions about the secure establishment's approach to safeguarding and child protection. Senior leaders shared the secure establishment's policy and guidance documents and the link HM Inspector provided comment where appropriate. There were a few notable child protection matters that arose during the pandemic. The link HM Inspector and the Registrar of Independent Schools liaised with care inspectors from the Care Inspectorate until matters were resolved.

Support for secure care establishments

389. From 20th March 2020 a small cohort of the Secure Care Group, which includes Education Scotland, had prepared a set of questions to consider the implications of a lock down on Secure Care services and centres [NR8/89 - INQ000620706].

390. The Scottish Government's Secure Care Group is a forum for practice and governance support, leadership and direction at a national level driving a culture of improvement in relation to children in or on the edges of secure care [NR8/90 - INQ000620707].

391. From 27 March the smaller Secure Care focussed cross-service group was established and included Education Scotland. The group met weekly via teleconference (later MSTeams) until mid-2022 at which time they moved to fortnightly and more recently to monthly meetings [NR8/91 - INQ000561394].

392. During early lockdown Education Scotland provided information, signposting and links to educational resources and services essential to the provision of education in secure care centres. The support provided included facilitating meetings between secure centre leads and the Glow team to ensure centres had secure access to online tools and potentially Glow itself, and also, facilitated meetings between secure centre education leads to share practice, concerns, and potentially resources.

Education Scotland organised, hosted and facilitated these meetings. The topics included, for example, models of working/timetables, online access and digital tools, curriculum resources and accreditation [NR8/92 - **INQ000620709** NR8/93 - INQ000620710].

393. Education Scotland also supported throughout with advice and guidance often making recommendations to SG regarding exemptions from specific rules for Secure Care centres [NR8/94 - INQ000620711]. Advice ranged from implementation of Covid-19 / Public health guidance in secure settings such as use of face coverings, shielding, ventilation and restrictions around use of PE facilities, Covid-19 testing, to staff mental wellbeing and opening schools.

Monitoring Impact

394. An overall analysis of the impact of the pandemic on children and young people in the secure estate has not been undertaken however, paragraphs 358 to 368 outline some of the findings based on an analysis of annual engagement visit records undertaken with secure centres during the specified period.

Education Scotland's general assessment of the pandemic on children and young people, and lessons learned

395. Education Scotland work to assess the impact of the pandemic on children and young people is outlined above and has been addressed in depth in previous statements by the Scottish Government to the Inquiry. We continue to work with Scottish Government to assess the long-term impacts and to address them through national priorities on attendance, relationships and behaviour and the Scottish Attainment Challenge.

396. Education Scotland resumed its school and early learning and childcare inspection programmes fully in September 2022, assessing the impact of the pandemic on children and young people.

397. Before Education Scotland resumed inspections, we issued an Inspection Advice Note advising local authorities and establishments on how HM Inspectors would reflect on the pandemic during their observations and assessments as part of the inspection process [NR8/95 - INQ000620712].

398. HM Inspectors recognised that the pandemic had an impact on all communities and committed to;

- listen and talk to educators about how the current context of their school/setting had changed because of Covid-19;
- learn about the specific impact Covid-19 has had on schools/settings; how they have adapted to address challenges because of the pandemic; and the impact this has had on learners;
- be sensitive to the pressures and challenges leaders, staff teams and your wider community face. Inspections will take place in person;
- use an establishments self-evaluation as the starting point to help understand its context and setting; and
- listen to what senior leaders and staff tell us about current priorities and ongoing challenges.

Future Preparedness

399. The Scottish Government has an ongoing commitment in relation to remote learning readiness for schools across Scotland. Section 17 of the Coronavirus (Recovery and Reform) Act 2022 (“the Recovery Act”) places a legal requirement on Scottish Ministers to publish a Report on how ready Local Authorities are to provide remote learning in their schools.

400. The purpose of the Report is to help ensure that appropriate plans are in place and to provide assurance to the public that if there was the need to provide wide-spread remote learning in future that the school system has done the necessary planning and has the infrastructure and staff resource in place to provide a consistently high-quality remote learning offer to all children and young people. This also takes account of lessons learned for future plans.

401. Education Scotland undertook the first survey between June and August 2023 and the first report was published in May 2024. This involved direct engagement with local authorities. Generally, most of the local authorities who responded have considered the steps needed if there was a need to deliver remote learning and have a high-quality offer in place. A second survey was issued in April 2025 to continue to provide assurance on local authorities’ readiness for remote learning.

402. Education Scotland is fully committed in its involvement in this work to ensure that appropriate plans are in place and to provide assurance to the public that if there was the need to provide wide-spread remote learning in future that the school system has done the necessary planning and has the infrastructure and staff resource in place to provide a consistently high-quality remote learning offer to all children and young people.

Business Continuity

403. The Scottish Government has established a Crisis Preparation Oversight Group. Four projects have been identified by this group for Education. Education Scotland is a member of the project group for schools. Education Scotland is also a member of the Scottish Government Cross-Government Delivery Group. This Group has been tasked with: establishing suitable governance arrangements to initiate the pandemic preparedness programme of work; assessing the current level of preparedness across the Scottish Government; improve the level of preparedness through desk-based exercises; address gaps and improve plans where needed; and conduct an ongoing review and management of pandemic plans across the Scottish Government.

Education Reform

404. In June 2021, the Cabinet Secretary for Education and Skills announced that Education Scotland would be reformed and that a new body His Majesty's Inspectorate of Education would be created. The Education (Scotland) Bill was introduced in June 2024 and is currently at Stage 2. The Bill establishes the Office of the Chief Inspector and sets out what they intend to do and how they are intended to operate.

405. As part of refocusing Education Scotland, we intend to embed business continuity into the future operating model of the organisation, aligned with our risk, audit and assurance arrangements. This will ensure that ES is able to adapt and prepare for threats to business continuity, including future pandemics.

406. Education Scotland recognises the need to build on the learning from the pandemic, while preparing schools and the wider education system for the possibility of future

disruption. We believe that the following high-level recommendations would better protect children's learning and education attainment.

Strengthen readiness and resilience planning

407. All schools and local authorities should have clear, regularly updated contingency plans for remote and blended learning. These plans should set out how learning will continue in the event of school closures or significant staff absence, including how schools will prioritise the needs of the most vulnerable learners. Plans should be supported by clear national, regional and local structures which can be stood up at all levels and should be regularly tested.

Ensure equitable access to learning

408. To reduce the risk of widening attainment gaps, a national strategy should ensure all learners have access to appropriate digital devices, reliable internet, and accessible learning materials. This should be supported by a robust and reliable national digital learning platform.

Prioritise wellbeing and relationships

409. Future pandemic planning must include robust support for children's and staff wellbeing. Support and supervision for senior leaders and staff wellbeing must also be part of national and local planning.

Support continuity of learning and teaching

410. Professional learning for staff should include training in remote pedagogy and assessment. Schools should develop adaptable curriculum models that enable progression in learning both online and in person. Education Scotland's work in the Curriculum Improvement cycle should take account of this.

Continuity of qualifications and assessment

411. A new Qualifications Scotland, as proposed by the Education (Scotland) Bill introduced in June 2024, should have robust plans in place to deliver qualifications

and assessment the event of a future pandemic. These contingency plans should be developed in partnership with local authorities, qualification centres and practitioners.

Statement of Truth

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Personal Data

Signed:

Dated: 31 July 2025