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**National Discussion on the Future of Education**

**Coalition for Racial Equality and Rights**

**October 2022**

### Originally submitted via an online survey

**To what extent do you support, or not support, the Scottish government’s overall proposed vision for the purpose and aim of inspection of ELC and school age childcare services?**

Partially support

Concerns have been raised repeatedly that ELC settings do not meet the needs of, or are less accessible for, Black and minority ethnic children and their families (including within our own research on poverty, as a key underlying factor - https://bit.ly/3TM6LFw).

Despite this, the wording within the vision treats children and families as homogenous, with no recognition of the need for racially literate and culturally responsive approaches. Similar lack of reflection is present in relation to the specific needs of other protected characteristic groups.

Whilst the reference to children’s rights is welcome, this will not instil a strong sense of the need to ensure services meet needs and provide positive experiences on an equal basis.

**Do you think the proposed vision is missing anything or contains something that you think does not reflect the purpose and aim of inspection of ELC and school age childcare services?**

Yes

We would suggest inclusion of wording (potentially after the line on children’s rights) such as: “Its approach reflects the diverse needs and experiences of children and families, seeking to ensure that services and settings are accessible, free from prejudice or discrimination and actively working to promote equality and community cohesion.”

This is in line with the broader focus on equality and social justice across Scotland’s education sector.

**To what extent do you support, or not support, the Scottish government’s draft guiding principles for inspection of ELC and school age childcare services?**

Partially support

Within the context underlying these principles, there are a number of key issues affecting Black and minority ethnic children and families. Many of these issues would require resolution within other policy areas which have an impact on the operation of the principles. However, even in the absence of these solutions, there is a need from an equality mainstreaming point of view to ensure measures are taken to recognise, explore and try to mitigate inequalities through inspection.

Without a strong understanding of these matters on the part of inspectors and joined up working across the education sector and with Scottish Government to tackle structural racism, the principles as they stand will potentially maintain or reinforce inequalities for Black and minority ethnic children and families.

**If you answered ‘partially support’, please can you tell us more about which principles you do and don’t support?**

We do not reject any of the principles, but they are supported only with caveats to ensure adequate consideration of racial equality.

1. Support our National Outcomes and improve children’s life chances through the provision of high quality services, to ensure that our children’s rights are respected, they grow up loved and safe, and can realise their full potential

The National Outcomes system in its current form is institutionally racist, because as our research demonstrates (https://bit.ly/3zndTzI), it cannot be used to benchmark or measure progress for Black and minority ethnic people on an equal basis. Four of the six indicators on the outcome for children and young people cannot be measured by ethnicity (Quality of Children's Services, Child Wellbeing and Happiness, Healthy Start, Children Have Positive Relationships). A focus on the National Outcomes within the basis for inspection will therefore not be as beneficial for Black and minority ethnic children and their families as it is for wider communities.

Stakeholder engagement with children and young people has demonstrated that common approaches to children’s rights, for example Rights Respecting Schools, are not perceived to adequately support the rights of Black and minority ethnic children and young people. This is liable to be replicated in the ELC environment due to a lack of racial literacy, intercultural competence and cultural responsiveness. This will have to be addressed if this principle is to be realised for Black and minority ethnic children.

Similarly, the notion of ‘safe’ in service settings has additional implications for children at risk of experiencing racism, prejudice and discrimination (including structural racism where settings fail to meet needs and reflect experiences).

2. Provide clarity to settings, practitioners and parents and carers on what standards they can expect and the roles and responsibilities of key agencies in delivering them

These standards should include protecting and promoting children and families’ rights under the Equality Act 2010, UN Convention on the Rights of the Child, Council of Europe Framework Convention for the Protection of National Minorities and United Nations International Convention on the Elimination of All Forms of Racial Discrimination, amongst other relevant human rights instruments. This needs to reflect particularly on non-discrimination, cultural and identity focussed rights which particularly impact Black and minority ethnic children and families within the human rights sphere.

As part of the broader reforms in ELC, such as the shared framework, it would be useful to reflect on and strengthen the standards set out for those working in these settings to include an explicit focus on making their services and settings accessible, eliminating prejudice or discrimination and actively promoting equality and community cohesion.

3. Support consistency in outcomes across services so that all children and families experience high quality provision, regardless of where it is accessed

This principle currently has a geographical and/or setting-based focus, but could usefully be expanded to include a focus on equality in service provision.

4. Support continuous improvement within individual settings and add value to the delivery of services, including through building on settings’ use of self-evaluation

This principle would need to be implemented with regard to equality, for example inspectors would need access to data and information (including from self-evaluation) on improvement for specific groups of learners with protected characteristics.

From an anti-racist perspective, this consideration would need to be nuanced to reflect potential differences in levels of improvement across a range of indicators within and between specific ethnic groups (with use of Census categories in exploring this where possible, to enable benchmarking and progress monitoring over time).

5. Support collaboration and professional dialogue between providers, practitioners, teachers and staff working in settings, inspection bodies and local authorities

This should include collaboration and dialogue which improves racial literacy and enables implementation of anti-racist work / work to identify and remove racial inequalities and barriers.

6. Listen to and take account of the views, experiences and needs of children and families

Where these views and experiences are gathered, mechanisms must be present to draw out the information gathered from Black and minority ethnic children and families in order to ensure that the results are acted on in a way which does not maintain or entrench inequalities.

7. Be adaptable to respond to evidence and new policy developments

This should explicitly include the growing body of evidence and policy on anti-racism in education; the ELC sector should consider adopting the approach of Scottish Government’s Race Equality and Anti-Racism in Education Programme, a multi-agency stakeholder involvement and policy making forum which is co-constructing an anti-racist plan of action for the primary and secondary school sectors. The resulting developments may give the inspectorate the ability to more coherently and credibly consider race equality within its role.

8. Be efficient, avoiding duplication and eliminating unnecessary bureaucracy for providers

There are opportunities to create efficiencies within the policy landscape by providing more centralised guidance and standards on race equality, ensuring that providers can do better for minority ethnic children and families without having to ‘reinvent the wheel’ within their own organisations.

**Do you think the draft guiding principles are missing anything?**

Yes

In general, a clearer focus on the need for equality to be at the heart of inspection processes is missing. This could usefully be reflected both within the existing principles and through inclusion of specific principles on this theme.

**Do you support the proposal to develop a shared quality framework between HMIE and the Care Inspectorate?**

Yes

Anything which increases consistency and coherence, provided it adequately supports implementation of race equality and anti-racism measures, will be welcome.

**Do you have any additional comments in relation to improving inspection of early learning and childcare and school age childcare services in Scotland?**

We would urge policy makers in this area to engage with and learn from colleagues involved in the Race Equality and Anti-Racism in Education Programme. Although this is aimed particularly at primary and secondary level education, there has been input of relevance to the ELC environment which could be shared.

With many areas of education reform taking place concurrently and a varied and, at times, potentially conflicting body of stakeholders to be engaged, CRER remains concerned that race equality considerations will not be adequately addressed. We would urge Scottish Government to ensure a joined-up approach which targets and draws out vital input from Black and minority ethnic communities, learners and practitioners, as well as BME led and anti-racist organisations. This input must be used effectively in developing approaches going forward during this historic period of change. Failure to do so could result in the maintenance of (and potentially the creation of new manifestations of) racial inequalities and institutional racism.