



**WHO
CARES?**
SCOTLAND

EQUALITY | RESPECT | LOVE



Education Reform

Response to the Scottish Government's
public consultation

December 2023

Introduction

[Who Cares? Scotland](#) is Scotland's only national independent membership organisation for Care Experienced people. Our mission is to secure a lifetime of equality, respect, and love for Care Experienced people in Scotland, and we currently have over 4,000 members.

At the heart of Who Cares? Scotland's work are the rights of Care Experienced people, and the power of their voices to bring about positive change. We provide individual, relationship-based independent advocacy, and a range of participation and connection opportunities for Care Experienced people across Scotland.

We work alongside Corporate Parents and various communities to broaden understanding and challenge stigma faced by Care Experienced people. We work with policy makers, leaders, and elected representatives locally and nationally to shape legislation, policy and practice. We do this collaboratively to build on the aspirations of [The Promise](#) and to secure positive change.

Summary

This consultation response provides comment on the Scottish Government's proposals to replace the Scottish Qualifications Authority (SQA). Who Cares? Scotland work with and support Care Experienced learners from early years to postgraduate study. Our response is based on what we know about the full learner journey for Care Experienced people, and the changes they have told us would have made their education journey more inclusive. Furthermore, we discuss the steps that SQA have taken to uphold their Corporate Parenting duties, and how we would expect the new qualifications body to uphold these too.

We have answered the following questions from the consultation which we believe are the most relevant for our organisation and Care Experienced people.

1. "What changes should we consider in terms of how qualifications are developed and delivered that you think would improve outcomes for Scotland's pupils and students?"

Who Cares? Scotland would encourage the new qualifications body to build trusted relationships with Care Experienced people, and adopt a [Trauma-Informed](#) approach to engaging learners. This will involve being mindful of, and responding to, the unique barriers that Care Experienced learners can face.

Specifically, Care Experienced people have also told us that moving around can have an impact on their education. The curriculum is not taught in a set order, which leads to inconsistencies between schools. Our members have told us that moving schools has led to them having large gaps in their knowledge in certain subjects, as their new school taught units within qualifications in a different order from their last school. A national, unified approach to qualification delivery would mean that Care Experienced people who have to move schools throughout the year will have minimised disruption to their education, and

able to pick up where they left off. Furthermore, Care Experienced people may need to miss classes to attend meetings related to their care, such as [Children's Hearings](#). This is something that Care Experienced people cannot control, and educational institutions must take steps to ensure that learners are able to catch up on any content missed.

Qualifications must take care experience into consideration and understand the impact this can have upon a learner's life. Change is needed to our current qualifications because Care Experienced learners are currently facing more inequalities within education when compared to all learners, as outlined within the [Education Outcomes for Looked After Children 2021/22](#). In summary:

- Care Experienced school leavers continue to have lower attainment than all school leavers.
- Care Experienced learners are more likely to leave school without any passes at SCQF level 3 qualifications or better.
- When Care Experienced people do leave school, they are less likely to be in a positive destination when compared to all school leavers.
- Gaps in attainment for can also be seen within primary school, as a lower proportion of Care Experienced learners are achieving Curriculum for Excellence levels relevant to their state when compared to all pupils.

These statistics illustrate the stark differences of qualification outcomes for Care Experienced learners, and why the reformation and redesign of qualifications in Scotland must take their needs into consideration. We would encourage a flexible approach to qualifications, taking into consideration that there may be gaps in Care Experienced people's learning for a number of reasons.

2. "How best can we ensure that the views of pupils, students and other learners are appropriately represented within the new qualifications body, and do these proposals enable this?"

Who Cares? Scotland agrees that the views and lived experiences of learners studying for qualifications should be heard at the top-levels of decision making in the qualifications body. Consultation should be sought from Care Experienced people, of all ages, to understand their experiences of qualifications so far and their calls for change.

As outlined in your consultation, "pupils and students of all ages use qualifications". At Who Cares? Scotland, we have recently launched our [Lifelong Rights Campaign](#) where we are calling for a lifetime of equality for Care Experienced people by having:

- Extra protection for Care Experienced people of all ages to access their rights.
- Independent, relationship-based, lifelong advocacy for every Care Experienced person in Scotland who needs it.

Care has a lifelong impact on those who experience it, and this can lead to inequalities for Care Experienced adults. In 2020, The Independent Care Review published that Care Experienced people in Scotland are over twice as likely to have no educational qualifications, and less than half the chance of having a degree ([The Money report, 2020: page 10](#)).

Furthermore, we would ask the new qualifications body to treat care experience as a [protected characteristic](#). This is something that Who Cares? Scotland has been campaigning for since 2019, [when we called for the UK Parliament to make care experience a protected characteristic in the Equality Act \(2010\)](#). We recognise that this is not something that works in isolation, and that legal recognition needs to come with many other supporting factors. However, the use of Equality Impact Assessments are vital to better understand and monitor the range and magnitude of inequality experienced by Care Experienced people, and to mitigate it. In Scotland, we have also been encouraging Corporate Parents, and those who work with Care Experienced people, to treat care experience as a protected characteristic. There are already organisations in Scotland that have taken measures to add care experience to their own organisation's Equality Impact Assessment processes, including SQA:

"SQA has a specific Corporate Parenting commitment to ensure its EIA process considers the needs of care experienced young people, by treating care experience as if it were a protected characteristic covered by the Equality Act."([page 3](#))

Who Cares? Scotland would therefore encourage the new qualifications body to treat care experience as a protected characteristic also, to protect Care Experienced people against discrimination and ensure their rights are upheld.

5. "How do you think the qualifications body can best work with others across the education and skills system to deliver better outcomes for all?"

[Corporate Parenting](#)

The [Children and Young People \(Scotland\) Act](#) names 26 Corporate Parents who have [six statutory duties](#) in respect of Care Experienced people.

Education has a key role within Corporate Parenting, with many of the 26 named Corporate Parents having an education focus. SQA, as one of the 26 named Corporate Parents in this Act, have taken a number of steps in recent years to ensure they are being good parents to Care Experienced learners.

SQA offer [replacement certificates](#) to Care Experienced learners aged 26 and under, free of charge. SQA also offer free [return of coursework](#) (e.g., artwork) to any Care Experienced learner aged 26 and under. We would encourage the new qualifications body to adopt these approaches, and **extend** them to learners over the age of 26 in recognition of the lifelong impact of care.

SQA have also committed to training their workforce on care experience and Corporate Parenting. Staff within the Corporate Parenting Steering Group attended a learning session delivered by Who Cares? Scotland in 2020, and discussions are currently ongoing to deliver this to wider staff teams in 2024. Our ask of the new qualifications body would be for Board Members and staff to attend fully funded, bespoke learning sessions, delivered by Who Cares? Scotland's [Education and Engagement team](#), to understand care experience and their Corporate Parenting duties.


SQA have also shown support to Care Experienced people by celebrating their achievements on results day. SQA held in-person events on results day from 2015-2019, and since then have celebrated Care Experienced learners [virtually](#) each year. SQA have also shown support to Care Experienced people through attending many of Who Cares? Scotland's national events, including our annual Love Rally during [Care Experienced Week](#). We would love to continue a partnership with the new qualifications body and continue the work of SQA.

In addition to this, [section 60](#) of the Children and Young People (Scotland) Act requires all Corporate Parents, in so far as reasonably practicable, collaborate with each other when exercising their Corporate Parenting responsibilities. SQA are committed to this and attend Who Cares? Scotland's Collaborative Corporate Parenting Network, which provides a space for Corporate Parents to connect, share practice, and collaborate with one another. Who Cares? Scotland would welcome the new qualifications body into this network, to allow them to collaborate with others within and beyond the education and skills system and deliver better outcomes for Care Experienced learners.

[Whole School Approach/Creating Communities that Care](#)

The new qualifications body must understand that learners engage in qualifications within a wider context that is influenced greatly by their experiences within their education institutions. Who Cares? Scotland are committed to developing [Communities that Care](#) through public education, including our whole-school approach. Our whole-school approach creates the conditions for Care Experienced children and young people to be nurtured and supported in their schools and communities across Scotland, through education and empathy building activities with entire school communities. The programme is replicable and sustainable and it is our vision that in the future this will be implemented in all Scottish schools. Through this, we will build stronger communities for everyone. Creating school environments which are more supportive and inclusive provides the scaffolding required to ensure that Care Experienced learners have the opportunity to realise their educational aspirations.

At the heart of our whole-school approach are the "Learning About Care Experience" PSE Curriculum Resource Packs, which contain lessons for children and young people to learn about care experience in a developmentally appropriate way from Early Years through to S6. The lessons are linked to units within existing qualifications. We would encourage the new qualifications body to consider how to ensure that learners in Scotland continue to learn about care experience and how to integrate this within qualification units.



Who Cares? Scotland would welcome the opportunity to work with the Scottish Government and the new qualifications body to implement the whole school approach nationwide throughout Scotland to ensure Care Experienced people are being nurtured and supported whilst sitting their qualifications.

If you wish to discuss the contents of this consultation response, please contact:

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