

# Proposed Schools (Residential Outdoor Education) (Scotland) Bill

## Introduction

A proposal for a Bill to ensure that young people have the opportunity to experience residential outdoor education.

The consultation runs from 29 April 2022 to 22 July 2022

All those wishing to respond to the consultation are strongly encouraged to enter their responses electronically through this survey. This makes collation of responses much simpler and quicker. However, the option also exists of sending in a separate response (in hard copy or by other electronic means such as e-mail), and details of how to do so are included in the member's consultation document.

Questions marked with an asterisk (\*) require an answer.

All responses must include a name and contact details. Names will only be published if you give us permission, and contact details are never published – but we may use them to contact you if there is a query about your response. If you do not include a name and/or contact details, we may have to disregard your response.

Please note that you must complete the survey in order for your response to be accepted. If you don't wish to complete the survey in a single session, you can choose "Save and Continue later" at any point. Whilst you have the option to skip particular questions, you must continue to the end of the survey and press "Submit" to have your response fully recorded.

Please ensure you have read the consultation document before responding to any of the questions that follow. In particular, you should read the information contained in the document about how your response will be handled. The consultation document is available here:

[Consultation Document](#)

[Privacy Notice](#)

I confirm that I have read and understood the Privacy Notice which explains how my personal data will be used.

On the previous page we asked you if you are UNDER 12 YEARS old, and you responded Yes to this question.

If this is the case, we will have to contact your parent or guardian for consent.

If you are under 12 years of age, please put your contact details into the textbox. This can be your email address or phone number. We will then contact you and your parents to receive consent.

Otherwise please confirm that you are or are not under 12 years old.

*No Response*

## About you

Please choose whether you are responding as an individual or on behalf of an organisation.  
Note: If you choose "individual" and consent to have the response published, it will appear under your own name. If you choose "on behalf of an organisation" and consent to have the response published, it will be published under the organisation's name.

on behalf of an organisation

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

*No Response*

Please select the category which best describes your organisation

Third sector (charitable, campaigning, social enterprise, voluntary, non-profit)

**Optional: You may wish to explain briefly what the organisation does, its experience and expertise in the subject-matter of the consultation, and how the view expressed in the response was arrived at (e.g. whether it is the view of particular office-holders or has been approved by the membership as a whole).**

Comunn na Gàidhlig delivers extra curricular opportunities for pupils pursuing Gaelic medium education - taking Gaelic out of the classroom. We have a subsidiary 'Spòrs Gàidhlig' which since 2017 has been delivering outdoor education opportunities in Gaelic.

Please choose one of the following:

I am content for this response to be published and attributed to me or my organisation

Please provide your Full Name or the name of your organisation. (Only give the name of your organisation if you are submitting a response on its behalf).

(Note: the name will not be published if you have asked for the response to be anonymous or "not for publication". Otherwise this is the name that will be published with your response).

Dòmhnall MacNeill, Comunn na Gàidhlig

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number.

We will not publish these details.

**Aim and approach - Note: All answers to the questions in this section may be published (unless your response is "not for publication").**

Q1. Which of the following best expresses your view of the proposed Bill? (Please note that this question is compulsory.)

Fully supportive

**Please explain the reasons for your response.**

We wholeheartedly agree with the benefits of outdoor education as outlined in the Bill consultation paper - the contribution it can make to young people's confidence, their ability to work with others, their appreciation of the outdoor environment, the health benefits and so on. An introduction to this at a young age can have life-long benefits for young people. The decline in these opportunities should be a matter of national concern.

Q2. Do you think legislation is required, or are there other ways in which the proposed Bill's aims could be achieved more effectively? Please explain the reasons for your response.

Within the current (and foreseeable) financial climate, we believe legislation is required. The sad fact is that local authorities are cutting expenditure on many services. Anything which is not statutory has to be seen as under-threat. Any alternative recommendations which did not have legal backing, and depended upon 'goodwill' would be vulnerable. Another advantage of legislation is that it would achieve consistency of provision - a 'goodwill' underpinning for this provision would be highly likely to lead to very different levels of service in different areas. Legislation, with clearly set out standards and targets would make sure that young people across Scotland had access to as near as possible, the same level of opportunity.

Q3. The proposed Bill will cover residential outdoor education provision for local authority and grant-aided schools only. Which of the following best expresses your view that independent schools or any other education establishments should not be covered by this obligation.

Neutral (neither support nor oppose)

**Please give reasons for your response.**

Our understanding is that independent schools have not cut back on residential outdoor education opportunities to the same degree as the local authority sector. Why legislate for something which is not a problem? The greatest majority of children within Scotland go through the local authority sector and it is here where the greatest benefit would be had, and where legislation should be focussed.

Q4. The intention is that the obligation to ensure that residential outdoor education is provided would fall on those who are responsible for arranging the provision, e.g. education authorities and managers of grant-aided schools. Which of the following best expresses your view of this proposal?

Partially supportive

**Please explain the reasons for your response.**

Ultimately the responsibility for this provision should lie with the education authorities. However, as we have suggested in response to an earlier question, it would be important to ensure consistency of provision across Scotland. Consideration ought to be given to a co-ordinating body (either within existing local authority or education structures, or newly-established) to seek to ensure this consistency of provision and to intervene/engage if particular provisions fell short of the agreed standards.

## Funding

Q5. Which of the following best expresses your view of how residential outdoor education experiences should be funded?

In some other way

**Please explain the reasons for your response. (If you consider Scottish Government funding should be provided to local authorities, please set out the mechanism for such funding, for example through block grant, ring fenced funding etc.)**

The great bulk of funding for this provision needs to come from the Scottish Government, and would need to be ring-fenced to ensure it was spent on the intended purpose. Some parental contribution is entirely appropriate, but the level at which it would be set would need to be carefully considered (and consistently across Scotland). Considering such a question when there is a 'cost of living crisis' points to a level of parental contribution that would be 'nominal' though not necessarily insignificant on a national basis. If the parental contribution was set at a more 'material' level then, as suggested in the question wording a safety net of public funding should be in place to ensure that no child missed these opportunities.

## Financial Implications

Q6. Any new law can have a financial impact which would affect individuals, businesses, the public sector, or others. What financial impact do you think this proposal could have if it became law?

no overall change in costs

**Please explain the reasons for your answer, including who you would expect to feel the financial impact of the proposal, and if there are any ways you think the proposal could be delivered more cost-effectively.**

This question is perhaps too wide to be answered as simply as with the options above. Significantly increasing the outdoor education experiences for Scotland's young people will obviously come at a cost. A law like this has the potential to significantly impact on the outdoor education sector - financially and in other more practical ways. Would education authorities contract with existing providers, or would they revert to owning/running their own centres. If they did, what would be the impact on existing providers? Who would train all the new staff who would be required? Would trained staff charge a premium? Wages within this sector (in commercial provision) are relatively low. If local authorities were to become involved using public sector pay and conditions, then this would likely impact significantly on commercial providers - though perhaps it is no bad thing if wages in the sector were more generally increased. If the provision were statutory, would existing providers feel able to charge a premium? These comments are very quick 'first thoughts'.

## Standard/ Quality of provision

Q7. Which of the following best expresses your view on the proposal for a quality framework to ensure the quality of the education provision of outdoor centres?

Partially opposed

**Please give reasons for your response, including whether this should be done by HMIE using a quality framework as part of their inspection of schools and the extent to which, if any, it should be statutory.**

Undoubtedly a quality framework is needed, though we are not necessarily convinced that it should assess the 'quality of the education provision'. If a law was passed to ensure access to outdoor education, and it set out appropriate standards and objectives which were consistently applied, perhaps the education element of delivery could be addressed in this way.

Q7. Which of the following best expresses your view on the proposal for a quality framework to ensure the quality of the education provision of outdoor centres?

A much more significant question would be that of proper safety standards during activity delivery. Part of the developmental benefit associated with outdoor education is that there is a degree of 'mild peril' involved, some risk of injury, no matter how carefully managed. For the young people, addressing and overcoming these perceived risks and challenges, whether abseiling or gorge walking develops their self-confidence. It would be critically important to ensure that under an expansion of provision as proposed here, safety standards were not compromised. A quality assurance framework already exists for commercially provided outdoor education; AALA (The Adventure Activities Licensing Authority)- currently delivered by the Health and Safety Executive. Local Authority or any statutory provision may not be 'commercial', and may not come under the auspices of AALA, but they should categorically adhere to at least the same standards of safety and delivery.

Q8. Which of the following best expresses your view that the age range of 12 – 16 is appropriate for participation in the residential outdoor education experience?

Partially supportive

**Please give reasons for your response, including whether you think other age ranges would be more appropriate.**

In our experience, while we do run events for the 8 - 12 bracket, 12 - 16 is the age range most commonly involved in outdoor education experiences. They are at a stage where they can focus more, and are more physically robust. However, in the context of Gaelic education we would suggest that provision for pupils in P7 could be extremely important - positive language experiences at that stage could be important in supporting or encouraging their transition into Gaelic education at Secondary level (where available). With that caveat though, we broadly support 12-16 being the 'core' age for residential delivery. However we would also pose the question whether more opportunities should be available for young people aged 16 - 18, in S5 and S6. There would be implications - equipment size/weight for example - but providing more focussed developmental opportunities, alongside outdoor activities, for the upper secondary bracket has at least the potential to provide them with useful benefits just at the point where they are about to transition from school to adult life.

## Equalities

Q9. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

Others will be more qualified to comment on the equalities characteristics mentioned above. We would like to focus specifically on the question of Gaelic language provision.

The development of the Gaelic language is a priority for the Scottish Government, and something which has cross party support in the Scottish Parliament. An important element of this development effort is Gaelic Medium Education (GME) where children follow the national curriculum, but where much if not all of their education is delivered through the medium of Gaelic. Currently there are some 60 primary schools in Scotland delivering Gaelic Medium Education, with proposals for new provision coming forward regularly. Then, there are some 17 secondary schools delivering national subject choices through Gaelic. These are local authority schools, not independent or other provision.

Q9. Any new law can have an impact on different individuals in society, for example as a result of their age, disability, gender re-assignment, marriage and civil partnership status, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

What impact could this proposal have on particular people if it became law? If you do not have a view skip to next question.

Please explain the reasons for your answer and if there are any ways you think the proposal could avoid negative impacts on particular people.

At the moment there is NO formal residential provision for Gaelic Medium Education. No established centre has any internal capacity to deliver a Gaelic language programme. We are not aware of any centre with a Gaelic-speaking instructor. Gaelic speaking school pupils cannot take advantage of residential outdoor activity provision in the language of their education. This has to be seen as a significant inequality.

Our Spòrs Gàidhlig company was established with this aim - to provide outdoor education through the medium of Gaelic, and ultimately to manage and run a residential facility catering for schools and pupils delivering/following the GME curriculum.

This has been extraordinarily challenging. The demand for our services is there from schools and parents, but there is insufficient funding available to put Spòrs Gàidhlig on a stable and sustainable footing to allow us to plan beyond the short term. We have received some public funding, primarily to establish the project in 2017-19, and since then from Bòrd na Gàidhlig - however it does not cover all our costs. Until this month (May 2022) our team was 1.8FTE. This month we have recruited two more members of staff, but we only have funding for the current financial year.

This team has worked exceptionally hard to develop a programme of activities, secure the necessary AALA licence and the equipment to deliver activities. They do this mainly on a mobile basis - visiting schools and locations across Scotland on the basis of secured bookings. We have delivered residential events both on our own initiative or for school bookings, using third party residential accommodation/outdoor centres but this falls far short of a properly established model to make sure that pupils following GME in local authority schools in Scotland enjoy the same equality of opportunity as their English-educated peers. As we have said, our ultimate aim would be to establish and manage an outdoor centre able to accommodate Gaelic speaking pupils. They would enjoy the same developmental benefits associated with residential, outdoor provision as any 12-16 year old in Scotland, but in addition they would get significant language benefits from using their Gaelic in a more fun and social setting.

If legislation is passed to ensure the provision of residential outdoor opportunities then it ought to include provision for GME education. It should stipulate that, where local authorities deliver GME, the residential outdoor opportunities should take place in a Gaelic speaking centre/setting.

Q10. How might equity of provision for all be ensured, regardless of socio-economic status? Please give reasons for your response.

We believe we have provided our opinion in relation to question 5 - that whatever funding model is agreed, there should be a 'parental safety net' to ensure that children from less favoured socio-economic backgrounds are not disadvantaged, and enjoy the same experience as their peers.

## Sustainability

Q11. Any new law can impact on work to protect and enhance the environment, achieve a sustainable economy, and create a strong, healthy, and just society for future generations.

Do you think the proposal could impact in any of these areas? [If you do not have a view then skip to next question]

Please explain the reasons for your answer, including what you think the impact of the proposal could be, and if there are any ways you think the proposal could avoid negative impacts?

It is our view that ensuring Scotland's young people have access to a consistent and safe level of outdoor residential provision would positively impact on all of the areas listed above.

We believe that allowing young people to enjoy challenging and fun experiences in the outdoor, natural environment, particularly those with limited opportunities to do so by other means, will give them a stronger and more personal association with that environment. Such awareness and affinity would translate to reducing environmental impact.

Achieving a sustainable economy - this proposal has the potential to see new outdoor education facilities established or re-established in, by their very nature, rural and non-urban settings. Providing high-quality employment opportunities within these communities would make the Scottish economy fairer and more sustainable.

Creating a strong, healthy and just society. Positive associations with the outdoors, at a young age, have the potential to begin a life-long relationship with the outdoor environment and outdoor activities. This has clear links to a 'strong and healthy' society, including a respect for self and others.

## General

Q12. Do you have any other additional comments or suggestions on the proposed Bill (which have not already been covered in any of your responses to earlier questions)?

We would just like to conclude by emphasising the potential importance of this legislation for Gaelic medium education. An explicitly stated equality of provision between Gaelic and English education streams would be a huge step forward.