

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

Public sector body (Scottish/UK Government/Government agency, local authority, NDPB)

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).

This response is on behalf of the School of Adventure Studies at West Highland College, University of the Highlands and Islands. This department provides some of the premier U.K. Further and Higher Education in the fields of outdoor leadership, adventure education, adventure performance and coaching, adventure tourism management, and marine and coastal tourism. This department and contains members of the national cohort of academics that critique and create the knowledge that is used within Outdoor Education in Scotland and the UK. It is also this department that has a direct impact on subsequent generations of adventure education professionals who will be filling the roles this proposal requires. Therefore, we feel our collective voice is highly relevant and important in the deliberation of the details of this Bill proposal.

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).

School of Adventure Studies, West Highland College, University of the Highlands and Islands.

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.)

Partially supportive

Please explain the reasons for your response.

The proposition that all people in Scotland aged 12-16 in state education would be guaranteed an outdoor education experience is a very welcomed one. However, on reading this proposal, we feel there are significant inclusions or omissions which need to be addressed. We accept that all people, especially academics, may have opposing views of what an ideal proposal is, and that various aspects of Outdoor and Adventure Education have been contested through professional and academic discourse over several decades. We have left these finer points of definition out of our reply and focused on the areas we feel will limit the impact and development of outdoor education in Scotland. With this in mind the response is centred around three areas.

Outcomes of an outdoor experience

Quality control and ensuring industry best practice

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.

In this instance, legislation is required to meet the Bill's aims. Though this is not seen as a solution to seeing the aims enacted, it is part of a package of measures which can go towards meeting its aims. The area of central importance will always be the knowledge and actions of the professional delivering the experience to the young people. From here the central purpose should be implementing support structures to allow this to happen in the most fruitful way. The responsibility of the legislation is to ensure access to these experiences and not produce caveats that undermine the work of the professionals as they deliver the proposal's aims. We would add that though we welcome the idea of a quality framework and involvement of various stakeholders, the required standards and responsibilities should not lead to a diminishing of the educational experience. By this we mean that the focus should be on the educational experience and legislation and quality frameworks should be designed to realise this experience. The experience should not have to fit with neatly crafted administration processes.

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.

Fully supportive

Please give reasons for your response.

This is an example of public money being spent on public resources. The number of independent schools which seek this opportunity without having access to it will be relatively low in number. There is the option for most children to access state education and therefore an outdoor education experience. Those children who cannot access state education will likely be represented by other legislation, funding or organisation. The legislation for state education is a good step towards identifying any young person who is not included through some other organisation and methods to include them can be sought from this point. If anything, the legislation, if done well, could set out strong values-driven standards that sees more meaningful practice having a positive impact on the culture of outdoor education practice.

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 opposed

Please explain the reasons for your response.

Education authorities and managers should hold some responsibility for the provision of outdoor education. However, a broader understanding of the term "provision" should be adopted. A contention with the original proposal is it sets out an assumption that attendance on a five-day outdoor education residential predicts the achievement of learning outcomes such as concern for the natural environment, self-esteem and resilience. If provision is understood as attendance, then it provides an opportunity for a lowest common denominator approach and does not enforce the inclusion of solid educational practice. We contend that how the experience is delivered is central to the emergence of these outcomes. For a local authority to satisfactorily state that they have provided outdoor education, there needs to be rigorous consideration of what is being delivered and how these outcomes will be derived. This area has been omitted from the proposal and we envision issues in delivery becoming a blame game between different stakeholders.

If private companies are eligible to seek government funds to provide these experiences, then we feel they should have to prove their ability to deliver to a quality educational standard. There already exists recognised standards for these providers to meet in terms of health and safety. We suggest that the quality framework also has clear standards set out so the quality of the experience from an educational perspective is included. This also supports local authority or school staff to make informed decisions about which outdoor residential they seek and be part of developing these experiences to produce maximum benefit. We respect these people as experts in their field, but they are not required to be experts in outdoor education we feel this creates a requirement for the providing organisations to have standards to meet as well.

Funding

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

In full by the Scottish Government

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.)

This is a highly complex situation with many areas to be considered. Whatever mode of funding is chosen, those involved need to be informed consumers of the outdoor education market. Schools should be trusted to be the experts in what is best for their students. But this should not be naively accepted as them being the only ones who should be deciding how public funds are spent. Schools should be accountable for their spending of public funds, but they need support in making educational decisions which could be in the form of a local authority expert or consultant.

There is a balance between autonomy and responsibility. Schools should be able to make decisions that allow them to do the best for their students but should have the responsibility to make sound financial and educational decisions in the process. Likewise, local authorities should be responsible for holding schools and school provision to a high standard, while providing the support to enable schools to do this. We support the idea of schools and local authorities making the final decisions on the use of funds, but how this should be done can be guided by a quality framework. See question 7.

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.

We see this as the responsibility of the fiscal budget and would be taken on by Scottish Government as an area of devolved responsibility. We would like to highlight the significant amount of research which demonstrates that money spent in quality educational experiences reduces the need for Government spending in other areas such as health (especially mental health) justice and social services. We suggest that a net saving would result if this Bill was set out appropriately.

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 supportive

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.

We wish to augment what is seen as value for money. Though HMIE should evaluate the cost and provision of outdoor education in terms of administrative processes, cost of food or travel. We suggest an additional framework is added which could be based on the Learning Outside the Classroom manifesto to give a framework for educational provision.

Stakeholders who we suggest should be included in developing this framework would include industry bodies such as the Outdoor Learning Association (IOL and related bodies) school leaders, local authorities, and provider organisations. We do feel these should be independent standards designed specifically for purpose and overseen by an independent body.

In summary, though we argue for a certain level of freedom for schools to decide how to spend their funds. We maintain that there is a need for solid and clear guidelines on what is accepted as a quality outdoor education experience. This way a balance can be struck between provision in real terms which is informed by theoretically sound concepts.

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.

As an initial roll out this is a good starting point, we do wonder what the justification has been for this age range? It would be pertinent to produce a longitudinal strategy for young people in outdoor education as part of the implementation of this Bill to provide overall purpose. In an ideal world we would see provision being extended to numerous relevant outdoor education experiences supporting the primary, transition, and secondary phases of state education.

We would advocate extending the age range to 10-16. We would not want this Bill to simply make up for lost ground in other areas. For example, if there is a lack of provision in the areas of confidence building in

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?

the primary years. Additionally, there may be vulnerable groups who fall outside this age range who would benefit from inclusion in the Bill's scope.

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.

Outdoor education should be positioned to deal directly with individual needs in a way that can be more responsive than what is often possible in mainstream education.

Poorly implemented outdoor education can exacerbate already existing issues in equality in education. This reinforces the need for a high standard and independent quality framework which can identify and rectify these issues. That said, outdoor education can be the perfect place to promote and foster equality in education if it is positioned to account for individual needs while the individual is operating in a supportive group context.

What this does highlight is that the image of outdoor education contained in this proposal is out of date in terms of equality. Our sociological norms are very different. For example, we refer to the integration of children with additional support needs into mainstream education, homosexuality being a crime until 1980 and the greater diversity in ethnic backgrounds. Outdoor education in Scotland in its early years of Outward Bound and the scouts was provided for a much more homogenous citizenry. Resilience is regarded differently when perceived by different cultures and populations and outdoor education should not be providing a singular understanding of terms such as this or others generally associated with this sector.

We would like to highlight the importance of the incorporation of the United Nations Convention of the Rights of the Child into Scottish law. This places additional responsibility on the providing organisations (outdoor centres) since the time when outdoor education was provided in a scale similar to this proposal's aims. These are examples of how outdoor education could exacerbate already existing equality issues.

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

If the proposal is for full funding from Scottish Government, then there is no justifiable reason why there would be a provision of issue regardless of socio-economic status. With outdoor education being linked to schools, this is a good way to include those from a less privileged socio-economic background.

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?

There are various areas of potential impact as a result of this Bill proposal. Many of them would occur indirectly, such as increased pollution from busses used to transport groups between schools and providing organisations.

An area of direct impact and concern is the overuse of countryside areas. This is a known issue within outdoor education with very little attention or effort to change practices. The non-human environment should not be seen as a playground at the disposal of the outdoor education industry and requirements should be placed on all stakeholders to set the example of best practice. We suggest that additional grants become available for these organizations to alter their infrastructure, such as install renewable energy sources, and the quality framework include a core section on environmental practices. It is not possible to instil concern for the environment if the role models in this situation are not conducting themselves in alignment with the highest possible standards.

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 feel that the turning point this Bill's success revolves around is the quality framework. This is incredibly important and will set the standards for the educational experience Scottish young people receive. It is imperative that this framework is directly shaped by experts in the field and we cannot stress this point enough. We do not reject of the quality inspections being conducted by HMIE, however, what is deemed as quality and its classifications for measurement should be informed by the expert stakeholders mentioned in the previous sections.

As a department we would welcome explicit involvement in more detailed consultations and revisions of this proposal or the final Bill.

We also recognise that this Bill will have an important impact on the employment market in outdoor education. As providers of Further and Higher Education, our students and graduates represent the future workforce of this sector. We feel strongly that the consequence, therefore, of the successful implementation of the Bill, should be a valuing of an educated and informed workforce, to allow opportunities for a meaningful and sustainable career for young people moving into the sector, and an enhanced outdoor education experience for our young people.