OPUS2

Scottish Covid-19 Inquiry

Day 63

November 18, 2024

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right? 3 A. That's correct, yes.

to the pandemic, please?

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1	Monday, 18 November 2024
2	(11.00 am)
3	MS VAN DER WESTHUIZEN: Good morning, my Lord.
4	THE CHAIR: Good morning, Ms van der Westhuizen. Now, who
5	do you have for us this morning, please?
6	MS VAN DER WESTHUIZEN: My Lord, we have this morning
7	Ms Bradley who is the general secretary of the
8	Educational Institute of Scotland, or EIS.
9	MS ANDREA BRADLEY (called)
10	THE CHAIR: Very good. Good morning, Ms Bradley.
11	A. Good morning, my Lord.
12	THE CHAIR: Very good. Now, Ms van der Westhuizen will have
13	some questions for you. When you're ready, Ms van der
14	Westhuizen.
15	Questions by MS VAN DER WESTHUIZEN
16	MS VAN DER WESTHUIZEN: Thank you, my Lord. Ms Bradley,
17	please could you confirm your full names.
18	A. My name is Andrea Bradley.
19	Q. You gave a witness statement to the Inquiry. My Lord,
20	that witness statement can be found using reference
21	number WT0774.
22	Ms Bradley, you're the general secretary of the EIS
23	and you've held that role since May 2022. Prior to
24	that, you were assistant secretary with the departmental
25	responsibility for education and equality, and you were
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1	in that role, I understand, from August 2015; is that

Q. Could you please outline very briefly what those two

A. Okay, so prior to May 2022, I was an assistant general

to provision of education, curriculum assessment,

pedagogy, and also advice to the general secretary

members that we have enlisted to our membership.

roles entail in general terms, and also with reference

secretary to the then general secretary, and during the

time of the COVID-19 pandemic, I was offering direct

assistance to the general secretary in matters related

around equality matters as they impacted on staff, our

members, and also as they may have impacted on children

and young people who were the students and pupils of the

Since May 2022, I have been acting in the capacity

of general secretary. Officially, I took up the role on

1 August 2022, but really from the point at which I was

appointed, I was doing -- undertaking lots of the duties

of the general secretary . And the general secretary has overly strategic responsibility for the union, works

organisation, most -- you know, most sort of commonly

		-
3		dual aims, one of those being to advance the interests
4		of teachers, but at the same time to promote sound
5		learning . And 177 years later that's still what we do;
6		we care about teachers as the providers of education,
7		teachers and lecturers, but we care very much about the
8		quality of the experience the children, young people and
9		adult learners have when they're in our education
10		establishments, and the outcomes that they acquire from
11		that experience.
12	Q.	Thank you very much. You have preempted part of my next
13		question, which was going to ask you to tell us a little
14		bit about the role of EIS as a trade union, including
15		its aims, but I think you have covered that. So if I
16		could ask you, please, to give an outline of the makeup
17		of its membership, please?
18	Α.	So the EIS represents members in all sections of
19		education from early years all the way through to higher
20		education, and we represent teachers at all stages of
21		career. So in the school sector, that would be
22		probationer teachers $$ student teachers $$ probationer
23		teachers, all the way through to head teachers, even
24		some directors of education, would be our members. We
25		represent 80% of teachers in the school sector, we

And effectively, we're a trade union and a

professional association. We were founded in 1847 with

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1		represent almost all college lecturers within the FE
2		sector and we represent in the region of 1,500 members
3		in the university sector. So quite an expansive range
4		of education interests that we are looking after in
5		terms of our membership cohort.
6	Q.	Thank you, and what is the total number of members?
7	Α.	So today, the total number is something in the region of
8		63,500 members. At the time of the pandemic, I think it
9		was maybe just a little bit lower than that, but in the
10		region of 60,000 at the time of the pandemic.
11	Q.	What was the reason, or is it known what the reason for
12		the increase in the membership was since the pandemic?
13	Α.	I think probably to some extent, the very good work that
14		the EIS did in support of members over the pandemic, you
15		know, would maybe have encouraged others to join, but
16		I think that the recent pay campaigns we have run have
17		also encouraged members to join. And I think that when
18		trade unions actively engage their members, they're more
19		likely to recruit them in the first place and to retain
20		them, you know, once they have signed up for membership.
21		So I think it's testament to the strength of our
22		union as an organising union, and as a union whose staff
23		and lay leadership work very closely together to
24		maximise member engagement and participation in our
25		work, which really helps sustain what we do and grow

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very closely with the lay leadership of the

the executive committee of the EIS.

- 1 what we do.
- 2 Q. Thank you. I think in paragraph 30, you refer to -- you
- 3 say your members are "overwhelmingly women". What
- 4 percentage of your membership are women?
- A. In the school sector, in the region of 80%, just short
 of 80% of our members are women.
- 7 Q. 80%?
- 8 A. Yes, just short of 80%, around about 77% or so, yes.
- 9 Q. Thank you. I think we'll move on first to have a
- 10 discussion around school closures and the issues and
- 11 impacts around that. We'll come on shortly to discuss
- 12 issues around prevarication and delays in terms of
- 13 reaching agreement on circulars and advice in advance of
- 14 school closures which you discuss in some detail in your
- 15 statement. But could I ask you first to describe some
- 16 of the main anxieties and concerns that were expressed
- $17 \qquad \mbox{ by EIS members in the weeks leading up to the school }$
- 18 closures on 20 March, please, 2020?
- 19 A. So there was really intense personal and professional
- 20 pressure on teachers, school staff, instrumental music
- 21 teachers, headteachers and deputy headteachers in the
- 22 weeks immediately leading up to school closure. They
- $23 \qquad \ \ \, \mbox{were doing} --$ any of those jobs are complex at the best
- 24 of times, but with growing anxieties about the risk of
- 25 COVID infection, teachers and other school staff being

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- very cognisant of media reports about what was happening
 internationally, what was happening in Europe, what was
 happening in other parts of the UK; anxiety was growing
 about the safety of schools and the potential for
 schools as very, very busy environments to be breeding
 grounds for infection.
- So at that time, as well as doing all the things
 that teachers and school leaders would normally be
 doing, they were also trying to manage infection risks
 and their own growing safety concerns, and indeed those
 of children and young people and families, about this
 looming threat of COVID.
- 13 And just before the closure of schools, there was 14 anticipation that schools might be closed, so there was 15 anxiety around how the shift from in-person within, you 16 know, within classrooms-based learning, was going to be 17 made to some kind of remote provision. And that was 18 unprecedented really in the school sector. Nothing like 19 that had ever been undertaken before, and there were 20 lots of questions and anxieties about how that would 21 practicably be done, how that would be managed, with 22 actually pretty limited resources and not a lot of time 23 to put into the planning while also teaching classes, 24 and doing all the things that are required to support 25 children and young people on a daily basis.

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2	COSLA as the umbrella body of local authority employers
3	of teachers. They seemed to be, you know, kind of
4	dragging their heels, really slow to come to national
5	agreements around how all of this could be properly and
6	sensibly managed. And that really helped to $$ that
7	really contributed, rather, to the kind of spikes in
8	anxiety that teachers experienced worrying about, you
9	know, security of employment, if we did move to online
10	provision, or security of salary if we did move to
11	online provision, and how safety matters were going to
12	be handled in the interim.
13	So there was a whole range of anxieties there.
14	Pregnant staff in particular were anxious about the
15	potential harm to themselves as pregnant women, and to
16	their unborn babies. People with underlying health
17	conditions, as they were hearing more about how the
18	virus was impacting on certain groups, were becoming
19	anxious about themselves if they had particular health
20	vulnerabilities . And then many teachers are also
21	parents, and many of them are parents of children with
22	underlying health conditions, and they were aware that
23	they were in very busy environments that didn't really
24	have at that point sufficient mitigations in place to
25	manage infection risk. So they were worried about the

There was maybe a lack of real direction also from

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1		impact of that on their families and other people that
2		they were in contact with at home.
3		So I would say that there was a real fear, a real
4		fear amongst teachers, just about immediate safety of
5		themselves and close family members who, and in
6		particular those close family members who may have
7		carried the kind of vulnerabilities that were being
8		highlighted in the media as a matter of real concern.
9	Q.	Thank you, and you have touched on the delays that $$
10		the COSLA delays, and you say at paragraphs 14 to 16 of
11		your statement, where you suggest that:
12		"Prevarication and delays, particularly on the part
13		of COSLA, in failing to agree Circulars and advice
14		timeously contributed to variation "
15		Between authorities $$ sorry, I'll let them get
16		there. Between authorities, meaning that the safety and
17		the implementation of key risk mitigation measures were
18		not as uniform as they ought to be.
19		Then you say $$ in paragraph 19, you go on to say
20		that the EIS had been pressing for an agreement covering
21		emergency arrangements at the Scottish committee for
22		teachers, and that a sign—off from COSLA had not been
23		received. Please could you explain what EIS wanted, and
24		why, and what the reasons were for the delay on the part
25		of COSLA if known?

1	Α.	So whilst, you know, schools had never had to grapple	1	
2		with something of the magnitude of COVID previously,	2	
3		they had had to take account of swine flu a number of	3	
4		years previously, and there were provisions around	4	Q
5		emergency arrangements to manage, you know, the risks	5	
6		that swine flu presented which we believed could easily	6	
7		have been used as a template to make sensible provision	7	
8		to, you know, counteract the risks of COVID.	8	
9		And there was a real slowness on the part of COSLA	9	A
10		to engage meaningfully in the work that needed to be	10	
11		done to make the template fit for purpose in the here	11	
12		and now of COVID, and really maybe a failure on their	12	
13		part to grasp the seriousness of the public health risk	13	
14		that we were as a country facing and that the school	14	
15		sector in particular was trying to grapple with.	15	
16		So this was around things like, you know,	16	
17		adjustments to class size arrangements, teacher class	17	
18		contact arrangements, what the health and safety	18	
19		provision should be while the risk of COVID infection	19	
20		was such as it was. And we were anxious about the	20	
21		amount of time that it was taking, given that infection	21	
22		levels were rising daily, and the number of deaths was	22	
23		rising daily and our members could see all of that	23	
24		unfolding in media reports and in the pages of various	24	
25		national newspapers, so that was a matter of real	25	
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	concern. Yes, that was a matter of real concern.
Q.	And just in terms of the concern that mitigation
	measures were not as uniform as they ought to have been,
	why was there a concern on the part of EIS to have
	uniform mitigation measures across local authorities?
Α.	Because we very much would see it that a public health
	crisis that spans the whole country has to have a
	national response, and whilst there might have been
	particular local circumstances that would have required
	maybe adaptation or something additional to what was
	being provided within a national framework, we did think
	that that national framework should have been there.
	And if teachers who were pregnant were being safeguarded
	to an acceptable degree in one local authority, we
	believed that they should have been safeguarded to the
	same degree in another local authority, and that
	shouldn't have been down to postcode.
	And when members saw that their colleagues in some
	local authorities were being afforded certain provisions
	because the employer in that local authority was more
	sympathetic to the needs of those teachers, you know,
	who had particular vulnerabilities , they felt aggrieved
	and very perplexed as to why they were not receiving the
	same considerations and accommodations within their
	local authority area. We didn't think that really

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1		matters pertinent to immediate health and safety should
2		really have been up for that kind of local negotiation
3		or local interpretation .
4	Q.	Thank you, and I think you have already answered what
5		the consequences are for your members of that delay. I
6		think you said it contributed to the already rising
7		anxiety. Were there any other impacts on them, other
8		than that anxiety?
9	Α.	I think it also contributed to confusion, I think with
10		different arrangements, you know, by local authority and
11		even actually sometimes within different school
12		communities within single local authorities, it resulted
13		in confusion amongst school staff members, but also
14		resulted in confusion amongst parents, particularly
15		if $$ particularly if the provisions in a neighbouring
16		local authority were somewhat different for school
17		children in that area than they were in the one that
18		their children went to school.
19		So I think in the early stages of the pandemic, when
20		everyone really was trying to make the cognitive leap to
21		understand COVID, it was not helpful that there were
22		these kind of organically developing variations, and,
23		you know, to our minds, not enough consultation at local
24		level either with trade unions.
25		So whilst COSLA within the SNCT space seemed
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1		reticent to get national agreements in place that would

1		reticent to get national agreements in place that would
2		have helped everyone, we saw some replication of that
3		within individual local authority negotiating spaces,
4		and the reluctance on the part of some individual local
5		authorities to ensure collaborative joint working around
6		health and safety, when all the evidence shows that when
7		employers work in that way with trade unions, everyone
8		benefits from that, everyone benefits from that.
9	Q.	Thank you. You say, I think in paragraph 20, you
10		describe that on Monday, 16 March 2020 you were able to
11		advise your members that agreement had been reached, but
12		you say that there were still things missing from that
13		agreement. It was designed to clarify responsibilities
14		and duties of teachers whilst schools remained open, but
15		it didn't fully answer whether those who for example
16		were pregnant or had underlying health conditions could
17		elect to self-isolate.
18		What, if anything, did EIS do to resolve that gap or
19		that missing
20	Α.	So we couldn't entirely resolve that. We're not the
21		employers of teachers. But what we did do was to try to
22		reassure members that their health and safety had to be
23		the paramount consideration, and that if they believed
24		that they were at immediate risk by attending school,
25		then they should indicate to their employer that they

1		wished either a risk assessment with appropriate
2		mitigations being put in place to enable them to work
3		safely within school buildings, or that they were
4		electing to work from home.
5		But we weren't able to, you know, guarantee that
6		employers would look favourably upon that either in
7		terms of how they might be paid or in terms of how that
8		might be viewed in respect of breach of contract or not.
9		So there was huge uncertainty around how individual
10		employers would handle that, and that meant that at
11		local level our reps, as well as us lobbying or seeking
12		to negotiate with COSLA as the umbrella body at national
13		level, our local reps were very much engaged with
14		individual local authority employers to try to get the
15		best provisions for pregnant staff and those with
16		vulnerabilities who were, you know, by this point
17		extremely anxious about their safety.
18	Q.	Thank you. In paragraph 22 you mentioned that there
19		were a number of other employment issues that the EIS
20		sought to resolve to mitigate variation from one local
21		authority to another. One related to the definition of
22		key workers, which is something the Inquiry has heard
23		quite a bit about. Could you elaborate on what the
24		issue was with the key worker definition from the
0 E		

25 perspective of EIS and its members?

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1	A.	So we were cognisant of the fact that it took quite a
2		while for there to be clarity around how the key worker
3		provisions would apply to teachers. This is related
4		quite strongly to the hub provision that was set up,
5		again, unprecedented type of education provision, that
6		required teachers to staff the hubs. And whilst the hub
7		provision was being made available for the children of
8		key workers, and rightly made available for, you know,
9		the children of emergency workers, healthcare workers,
10		shop workers and so on, in order that society could
11		continue to function to some degree amidst the crisis,
12		there was maybe a bit of slowness to come to a
13		realisation that teachers who were providing that
14		critical daily care and education to those children, if
15		they had children of their own, would also require
16		access to that $$ to that type of provision for their
17		children if they didn't otherwise have childcare
18		provision in place.
19		And it was very, very difficult for anyone really to
20		have childcare provision in place that didn't take place
21		within the environs of their own homes at that time, for
22		all sorts of obvious reasons. So it was around that
23		issue that, you know, quite detailed negotiation had to
24		take place and, you know, there was concern amongst our

25 members about what would happen to them, or what would

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1 happen to their children in the event that they 2 volunteered to be teachers working in the hubs. 3 Q. You said it took a while for that realisation to dawn. 4 Was that issue resolved ultimately in favour of your 5 members? 6 A. Yes, that was resolved. Like many of the issues, resolved because of the persistence of the EIS and the 7 8 other teacher trade unions who were acting alongside us. 9 I mean, typically the EIS was on the same page as the 10 other trade unions around the need for, you know, very, 11 very careful safety provisions and very, very 12 considerate provisions around things like childcare, 13 particularly given that the majority of teachers in 14 Scotland are women, and, you know, unfortunately the 15 majority of caring responsibilities continued to fall to 16 women. 17 Q. Thank you. Just turning to the decision to close 18 schools, on 19 March 2020, the Scottish Government 19 issued a circular, making it clear that the schools in 20 local authority settings should close on 20 March 2020. 21 You refer to that at paragraphs 27 to 32. Could you 22 please just describe very briefly some of the challenges 23 that that last minute decision-making had for EIS members, particularly given -- and why it was 24 25 particularly problematic, given the demographic of your

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1		members?
2	Α.	So effectively , schools were given a day's notice of the
3		closure of schools and early years provision. Now,
4		across the country, teachers were probably, and
5		headteachers were probably coming to the view that
6		schools were going to have to close at some stage
7		because of what was happening in other parts of the
8		world, you know, and it was probably and rightly
9		inconceivable that things could have been exceptionally
10		different in the UK and in Scotland. But it meant
11		that ——
12	Q.	Sorry, Ms Bradley, I have just been asked to ask you if
13		you could slow down a little bit . I think the
14		stenographer is struggling to keep up. And just to add,
15		thank you very much again $$ I forgot to thank you again
16		for your very comprehensive statements. It will all be
17		taken into account, so if we don't get to something, we
18		have got it noted.
19	Α.	I'll try to slow down. So although teachers and
20		headteachers may have been anticipating closure and
21		beginning to put some measures in place to ensure
22		education continuity in the event of that happening,
23		there was really only one working day's formal notice of
24		that being the case. But that was going to be closure
25		to pupils, so there was a scramble really over that

short, short period of time to make sure that young 1 2 people had everything that they needed to take home with 3 them before they exited school buildings, you know, by 4 the end of that week. 5 There was also the notification that hub schools 6 were to be set up eight days later. That wasn't even 7 eight working days later. And that was a type of 8 education provision that had never before been used, so 9 it was entirely unprecedented, and again, within a 10 matter of only a few working days, teachers and 11 headteachers had to think about what that could look 12 like, given the extremis of the circumstances that we 13 were going to be in by that stage. 14 So there was a massive amount of work put into that 15 also, but school buildings were to remain open to staff 16 for one week to enable all of that work around 17 preparation for hub provision to be done, but there was 18 insufficient outlining of what the safety mitigations 19 would be over that week, whilst teachers were, you know, 20 allowed or enabled to access, in fact encouraged to be 21 in school buildings. 22 And we were looking for, you know, common sense 23 health and safety provisions around that, but again, the 24 internal machinations of COSLA hampered the progress

25 towards an agreement like that being reached for

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1 teachers, and also around what was to happen in respect 2 of teachers' employment and teachers' salaries when they 3 did move to remote working. 4 An agreement like that had been formulated for other 5 local government workers a few days previously, but 6 COSLA was reluctant to apply the same principles to the 7 schools context because they wanted school staff to be 8 more nimble than that. But the irony of that was that 9 COSLA itself as an organisation was -- couldn't have 10 been described as agile or nimble in responding to, you 11 know, the urgency of the safety -- the situation and the 12 health and safety considerations that were paramount in 13 people's minds at that time. 14 So the EIS issued guiding principles to members 15 again in the absence of nationally agreed guidance or a 16 national agreement around those things. And again, 17 there was a bit of, across different local authority 18 areas, different expectations of what teachers were 19 doing in that week between the closure of schools and 20 the opening of hubs. Some local authorities and schools 21 more or less mandated teacher attendance in school 22 buildings. Other ones made more sensible provisions, 23 saying that teachers should only be in schools for

24 limited periods of time to do what was required in order 25

to make the preparations, but not to be, you know, in

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1		school from 9.00 until 4 o'clock every single day just
2		for the sake of being there.
3		There was another dimension to that in that teachers
4		who were parents, their children were unable to attend
5		school because schools closed that Friday, but there was
6		an expectation that they attend schools themselves, and
7		limited options in terms of childcare provision for
8		them. And again, the majority of people who were placed
9		in that situation of $$ facing that kind of dilemma were
10		women, but there were some male colleagues, single
11		fathers who were also in that situation at that time.
12		So again a lot of $$ a lot of unnecessary anxiety, a lot
13		of unnecessary anxiety, dilemmas, problem solving that
14		teachers had to undertake, as well as making this rapid
15		transition to remote learning, and this rapid transition
16		to hub provision within a very short space of time.
17	Q.	Thank you. If we could turn now briefly just to discuss
18		hub schools, what was EIS's understanding of the purpose
19		of hub schools that were established, in terms of what
20		they intended to deliver and to whom?
21	Α.	So this was one means through which teachers and schools
22		were going to ensure continuity of education, and it was
23		for the children of key workers, so healthcare
24		professionals, frontline healthcare professionals and
25		emergency workers and shop staff, you know, people who

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1	worked in grocery stores, and also children with certain
2	vulnerabilities , so children for whom there might have
3	been wellbeing concerns related to the home environment,
4	and also children who had additional support needs of
5	certain types that would have made remote learning for
6	them much less of a viable proposition.
7	So those were the young people for whom the
8	provision was being made, and it spanned all age ranges,
9	so from age 3 effectively up to age 18, although
10	typically speaking, unless children had particular
11	additional support needs, they were more $$ parents were
12	more comfortable for older children to be at home so
13	that would be the parents of key workers, more
14	comfortable for older children to be at home. It was
15	probably more so younger children who did use them.
16	And in terms of what they were supposed to provide,
17	it was a degree of education continuity, but this was in
18	a context whereby the teachers who were providing that
19	education wouldn't necessarily know the children that
20	they were teaching because they came from different
21	areas, and, you know, there had to be a degree of
22	realism about what could realistically be achieved,
23	given that teachers didn't have relationships with those
24	children, many of them didn't know one another.
25	So it was education but not as we know it, you know,

- education but not as we know it. And there was a big 1 2 emphasis on supporting the wellbeing of the children who 3 attended hubs in the understanding that they have been 4 exposed to significant trauma as, you know, the days 5 leading up to school closure unfolded, media reports, 6 they were able to read newspapers and so on, they knew 7 their parents were anxious. And particularly them being 8 the children of key workers, they knew the kinds of 9 circumstances that some of their parents were working 10 in. So there was a significant wellbeing emphasis on 11 what was provided through the hub context as well as 12 providing opportunities for young people to continue 13 learning and, you know, literacy, numeracy, other areas 14 of the curriculum, but a strong wellbeing focus as well. 15 $\,$ Q. Thank you, and you say, I think, at paragraphs 40 to 41 $\,$ 16 that you understood that they were required to provide a 17 level of access to appropriate in-person learning and 18 childcare to children of key workers and vulnerable 19 children 20 So it wasn't just childcare; it was that education 21 aspect in-person then as you said? 22 A. Yes. 23 Q. You say at paragraph 41, in relation to the staffing of 24 hubs, that the response from teachers to volunteer and
- 25 ensure that there were sufficient numbers of teachers

1		working within the hubs to meet demand was
2		"overwhelming". Do you know of any particular
3		circumstances where, if there were no volunteers for a
4		particular hub, who would have been required to staff
5		that?
6	Α.	I don't think that we ever were involved in discussions
7		about what would have happened had there been $$ or
8		which staff would have stepped in had there been
9		insufficient numbers of teachers because that didn't
10		occur. We were clear with our members that we supported
11		hub provision for the children in the groups that I have
12		outlined. We indicated to members that we were
13		supportive of them volunteering to staff hub provision
14		if they felt that they were able to do that. We were
15		clear that they shouldn't have felt under any compulsion
16		to do so, and particularly not those with underlying
17		health conditions or who were pregnant or who had
18		vulnerable people at home and didn't feel that they
19		could balance the risks sufficiently well.
20		And we made all of that clear to the Scottish
21		Government and COSLA, but we also made it clear that in
22		the event that there were insufficient numbers of
23		teachers volunteering, that the EIS would look to be
24		assistive in, you know, helping that situation but it
25		never $$ it never occurred. The feedback that we got

never it never occurred. The feedback that we got

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1	from $$ certainly through our local association
2	secretaries and through discussions on the ${\sf COVID}{-}19$
3	Education Recovery Group were that, or was that, there
4	was a plentiful supply of teachers volunteering to staff
5	hubs, and that was done then on a rota—ed basis, so that
6	teachers were not in hub provision $$ well, it would
7	have been rare for teachers to have been in hub
8	provision every single day. It was kind of shared out
9	amongst the plentiful number of volunteers that had come
10	forward in each local authority area.
11	So I'm not aware of there being a single incidence
12	in any local authority where there was insufficient
13	numbers of teachers to staff the $$ you know, to staff
14	the setting.
15	Q. Thank you. I won't stop on this, we'll need to move on,
16	but you refer in paragraphs 41 and 42 to the fact that
17	there was inconsistency across local authorities in
18	terms of the discussions around the arrangements
19	necessary to open hub schools, and in terms of the
20	safety measures that were implemented across local hub
21	schools. You refer to a report entitled "Teaching
22	during the COVID -19 Shutdown" survey report, which I
23	won't ask to be opened but we'll touch on it later
24	again. Could you briefly outline some of the concerns
25	that the survey showed in terms of implementation of

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1		safety measures in hub schools specifically , just very
2		broadly?
3	Α.	Yes, so when we surveyed our members later, later that
4		year, it was in the autumn of that year, it came to
5		light that in a third of hub schools, there had been no
6		risk assessment carried out, and that there were barely,
7		if any, mitigations in place, and that was for us, you
8		know, quite a worrying $$ quite a worrying set of
9		statistics .
10		We also found, or I think we had found even prior to
11		conducting that survey, probably from report-backs from
12		our local association secretaries that the $$ those
13		really vital discussions at local level between trade
14		unions and the representatives of the employers were not
15		taking place to the extent that they needed to around
16		health and safety, and around health and safety in
17		respect of hub provision.
18		So that is something that, yes, it was a matter of
19		real concern. We were very clear at the outset that we
20		were supportive of hub provision, but in terms of the $$
21		you know, the local implementation of, I suppose, the
22		kind of policy direction around that, there had to be
23		close collaboration between trade unions and employers,
24		and that didn't happen in all cases. It happened in

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many cases but not in all cases.

1	Q.	Thank you, and just finally in relation to hubs, you	1		main sources of concerns for EIS members during that
2		alluded to it earlier, just in relation to the	2		transition period related specifically to pupil
3		challenges of meeting the needs of pupils, you referred	3		participation and access to digital technology.
4		to the fact that teachers were having to provide hub	4		Could I ask you, please, to outline some of the
5		provision to pupils that $$ they were not their own	5		issues that arose in relation to both of those?
6		pupils necessarily . What were the key challenges for	6	Α.	Okay. So focusing specifically on pupils and the access
7		teachers and staff in terms of meeting the diverse needs	7		to digital technology?
8		of pupils attending those school hubs?	8	Q.	Yes?
9	Α.	I think the issues that emanate from not having had time	9	Α.	Yes, yes, because there were issues for teachers as well
10		to build relationships ; not having had time to build	10		in that regard, but I'll talk about that $$
11		relationships in a context that was very strongly	11	Q.	It's fine, it's in respect of both. I suppose it's
12		trauma—ridden for the young people who were attending	12		pupil participation , but from the perspective of the
13		hubs; not having knowledge of the additional support	13		teacher, and then the access to digital technology can
14		needs of some of the young people who were attending the	14		be either or both?
15		hubs, and what kinds of provision would have been in	15	Α.	Okay. So teachers, you know, teachers flagged in that
16		place for those young people within their own school	16		survey that pupil participation was not consistent, was
17		settings .	17		not universal, so let's say a primary teacher has a
18		To some extent, probably because of the context	18		class of 33 children. It would have been rare for 33
19		within which young people were attending, there could be	19		children to be participating at all times in the
20		behaviour challenges, young people struggling to social	20		learning for a variety of reasons, and one of those did
21		distance, to adhere to mitigations that were in place in	21		relate to the reliance within the remote learning offer
22		some contexts, and, yes, I think that they were probably	22		on digital technology.
23		the main things. Some young people, particularly	23		Now, again, schools had never provided this type of
24		younger young people, struggling to understand how to	24		education previously, so there were all sorts of
25		follow at the mitigations and why they needed to.	25		teething problems around that. Many teachers didn't
		25			27
1		So these were all $$ these were all issues, you	1		have access to devices themselves. Their employers
2		know, that teachers would have faced to varying degrees,	2		hadn't issued them devices. So if teachers had their
3		depending on the cohort that they were working with on	3		own, or somebody in the house had a laptop, then they
4		any given day, and they had to be very quick thinking,	4		made use of it. Some teachers bought their own kit, you
5		you know, use all of the $$ kind of like the skills and	5		know, so that they were able to provide for their

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you know, use all of the $--\mbox{ kind}$ of like the skills % f(x)=0 and and and and and and and and and 5 6 knowledge that they had from their own professional 7 experience, maybe try and learn from other colleagues 8 about how they were responding to some of this, and just 9 do their best in the moment to support the -- you know, 10 the most pressing needs of the young people who were in 11 front of them at any given time. 12 Q. Thank you. I think we'll move on now to discuss some of 13 the issues and impacts associated with remote teaching 14 and learning. At paragraph 57, you again refer to that report, the "Teaching during the COVID-19 Shutdown" 15

16 survey report, and you say that a full range of barriers 17 that were identified by the members at the time can be 18 accessed in that report. 19 At paragraphs 57 to 76, you discuss some of the 20 particular barriers and challenges that were faced in 21 the move to remote learning and teaching. You 22 specifically flag, and we'll come on to discuss mental 23 health and wellbeing-type issues, but you specifically 24 say -- if we could focus now on some of the practical

issues that were encountered, which I think you say the

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online all the time an online learning offer was being made by the teacher or the school.

23 Those connectivity issues that I've talked about, 24 some young people not having access to data, not having

learners very quickly. But there were also issues

and sometimes the difficulties around that were

experienced by teachers, sometimes the difficulties

around that were experienced by young people, and

sequences of learning that teachers had sought to

people, we know that -- you know, there's a digital

divide in Scotland, there continues to be and there

certainly was at that time, where the poorest young

people simply did not have within the home access to

laptops, tablets, you know, even phones, in the numbers

that would have been required for them to be able to be

provide for young people.

sometimes both. So that could sometimes interrupt the

In terms of access to digital devices amongst young

across the country in terms of internet connectivity,

25 access to wi-fi, and actually some homes being so poor

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1	that there was issues around the availability of power	1	learning on a screen, sitting, you know, typing in
2	to keep devices charged or to keep devices running in	2	things, you know, for a piece of work and then sending
3	order that young people could participate in the	3	it to their teacher. They didn't enjoy that experience
4	learning. 64% of our members in that survey reported	4	to the same degree as they would, had they been
5	the $$ significant issues around there being	5	participating in a group setting, you know, in realtime,
6	insufficient access for young people to technology at	6	working with their peers and working with their teacher
7	home, so really quite a worrying statistic .	7	and getting all the, you know, kind of benefits of the
8	So some schools prior to the pandemic had invested	8	dynamics of all of that.
9	in laptops or invested in ipads and things like that and	9	And I think that that impacted $$ we know that that
10	they sent the kids home with them, you know, the day	10	impacted pupil morale fairly quickly. We know that the
11	before schools closed, but not all schools had those,	11	mental health impact of the pandemic was significant.
12	and not all schools had them for all their classes, or	12	We know that many young people had been bereaved and,
13	all the $$ particularly secondary schools where you've	13	you know, they were struggling to cope, families
14	maybe got 1,500 pupils or 2,000 pupils, in some cases,	14	struggling to cope with bereavement amidst the confines
15	even more than that, in some of the bigger schools, they	15	and restrictions of the pandemic. And we know that a
16	simply did not have that number of devices to be able to	16	shocking number of children in Scotland were living in
17	issue to young people.	17	poverty before the pandemic struck, and for many of
18	So that was a problem right at the beginning, and we	18	them, the impacts of that intensified over the COVID
19	know that that led to, in some homes, the sharing of	19	period.
20	devices between children. So if there were, say, three,	20	And from work that Education Scotland did later,
21	four kids in the home, they each got a turn on a laptop	21	they conducted an equity audit, looking at the equity
22	or the phone or whatever it was over the course of the	22	impacts of the pandemic, one of the things the poorest
23	day, and sometimes, you know, the child's turn didn't	23	children worried about was not their participation in
24	coincide with when a particular offering was being made	24	schoolwork, not their ability to keep up with their
25	by the child's school, so that was, you know, that was	25	peers in schoolwork. They were most acutely concerned
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1	very problematic.	1	about the impact of the pandemic and the risk of
2	And actually many children don't have they don't	2	coronavirus to their family members who had health
3	have designated work spaces at home, you know, a desk,	3	vulnerabilities or who were elderly. And we know that
4	somewhere comfortable to sit in order to be able to	4	disproportionate numbers of the poorest in our
5	carry out just regular schoolwork, you know, never mind	5	communities died or were made seriously ill by COVID-19
6	what was required in order to enable them to engage in	6	So that's understandable that young people were
7	learning that involved video, camera, you know, direct	7	really worried about that, and more worried about that

- 8 communication with a teacher and their peers in a 9 virtual classroom setting. There are all the sorts of
- 10 practical issues around that. There are other issues
- 11 linked to pupil participation if you want me to ...
- 12 Q. Please?

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- 13 A. From our point of view, you know, we were very clear 14 from the outset, and we were kind of echoed by Education Scotland on this, that virtual learning can in no way 15 16 replicate what happens in school buildings when young 17 people are with their teachers face-to-face and the 18 other adults who support them in schools face-to-face, 19 and when they're with their peer group. 20 Schools are very rich, complex social environments 21 and what kids derive emotionally and socially from 22 schools are $\,--\,$ it's absolutely fundamental to the 23 progress of their learning. Many young people simply 24 didn't enjoy sitting on a screen, you know, for several
 - hours a day, or even if they weren't involved in live

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1		about the impact of the pandemic and the risk of
2		coronavirus to their family members who had health
3		vulnerabilities or who were elderly. And we know that
4		disproportionate numbers of the poorest in our
5		communities died or were made seriously ill by COVID -19 .
6		So that's understandable that young people were
7		really worried about that, and more worried about that
8		than, perhaps, you know, keeping up with the latest
9		lesson. Also a significant number of young people, it
10		came to light during the pandemic, had caring
11		responsibilities : caring responsibilities for disabled
12		parents, parents who were struggling with mental health,
13		parents who were struggling with addiction, and they
14		also had caring responsibilities for siblings .
15		A lot of these children, their parents didn't have
16		the option of homeworking, or they may have had the
17		option of homeworking, but couldn't do that and also
18		look after younger children. So some of the
19		responsibility for that fell to older children, and they
20		were maybe less able to devote the number of hours in
21		the day that we might have wished to keep up and to
22		participate in their schoolwork.
23	Q.	Thank you. I think we'll now turn to discuss some of
24		the other issues and impacts experienced during school
25		closures, in particular those relating to human rights,

1	mental health and wellbeing, which you discuss at
2	paragraphs 65 to 69 of your statement.
3	If we could start, perhaps, just general impact due
4	to working from home that you touch on, what are some of
5	the sorts of factors that impacted on members' wellbeing
6	when working from home, just as a matter of course?
7	A. Yes, I think, I mean I think it would be fair to say
8	that the vast majority of teachers did not enjoy working
9	from home. I think they actually found it incredibly
10	stressful . I think some of them found it quite
11	traumatic, to the point where they struggled to use
12	technology when they went back into school settings,
13	because it was quite triggering of the really difficult
14	experience that they had had working from home, and that
15	featured long hours, very, very long hours and the
16	inability to switch off and disconnect from school, you
17	know, from school—related work.
18	Because as well as teaching lessons during the day,
19	they were also spending hours of time preparing lessons,
20	they were doing so with technology that they were
21	largely unfamiliar with, because they had never had to
22	do this kind of thing before and so everything took
23	longer. They were trying to provide feedback to young
24	people. They were doing wellbeing checks on young
25	people. And so they found that the number of hours that
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1	they would spend typically per working day were being
2	stretched and stretched and stretched.
3	And it was not uncommon to learn of teachers working
4	12, 13, 14, 15, 16 hours a day, and that was
5	particularly the case for senior leaders who were trying
6	to effectively manage remote schools, you know, virtual
7	schools, support all of the staff to deliver this
8	unprecedented form of learning for young people, take
9	full account of the wellbeing needs of individual young
10	people and their families and respond to them as best
11	they could despite the restrictions , and, you know, help
12	to allay fears of families, young people etc.
13	So there was an immense emotional and practical
14	pressure on headteachers in particular . Teachers also
15	reported not enjoying the sedentariness of homeworking,
16	you know, sitting at a computer for hours and hours a
17	day either doing live lessons or providing feedback
18	electronically .
19	Teachers move around a lot, they interact a lot with
20	young people. It's a very kind of physical job
21	normally. They also talked about the isolation of
22	working at home. Teachers work very collaboratively
23	with their colleagues in school settings, and although
24	there was a kind of second—best, if you like, set up of
25	Teams groups and things like that, WhatsApp groups set

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1 up, that really didn't substitute for that staff room 2 chat at lunchtime or in the corridor chat between 3 lessons or walking into school buildings or out of them 4 at the end of the day. 5 So they talked about the isolation that came from 6 homeworking. They didn't like, many of them, the 7 disruption to their usual routines. As everyone knows, 8 school environments are very -- some might say quite 9 rigid . Everything is very timed. There are bells, not 10 always bells within the schools these days, but everyone 11 knows where they're going to be, at which time, and if 12 not entirely what they're going to be doing, broadly 13 what they're going to be doing at any given time. So 14 disruption to routine. 15 Many teachers, men and women, but particularly 16 women, were trying balance work, the demands and 17 pressures of work in very difficult circumstances with 18 urgent caring responsibilities for not only children 19 that they had at home whose learning also had to be 20 supported, but vulnerable family members. Again, that 21 responsibility falls disproportionately to women, so 22 women in particular were doing hours and hours of paid 23 work and unpaid work in the course of those days during 24 school closures. 25 So a really difficult set of circumstances in which 35 achers were trying to do their best to kee

1		teachers were trying to do their best to keep
2		education $$ to keep education going, and they did quite
3		a good job of that, I would say, considering the
4		challenges that they faced.
5	Q.	Thank you. In relation to workload specifically ,
6		I think you have touched on it already in paragraph $$
7		I think starting at 74, you talk about the blurring of
8		working hours, the expectations they would respond to
9		messages about teaching and learning on social media,
10		and that that all took a toll on their health. What
11		support, if any, was made available via Education
12		Scotland?
13	Α.	I think in the early stages of the pandemic, not a lot,
14		not a lot , there wasn't a lot of $$ I mean, there was $$
15		one of the work streams of the COVID Education Recovery
16		Group was focused on workforce support and the wellbeing
17		of teachers, but I would say that, you know, it took
18		quite a while for there to have been any tangible
19		outputs from that. So at this point $$ and even then,
20		they were insufficient , they were insufficient , but at
21		this stage in the pandemic, there wasn't a lot of
22		support going directly to teachers. Other than that
23		which they received from their own colleagues, there was
24		no real support coming from national agencies in that
25		regard.

1	So the EIS stepped in order to provide that kind of	1	been relatively well held under control.
2	support for our members. We provided them guidance on	2	There were members with specific disabilities who
3	looking after their own wellbeing, you know, encouraging	3	worried about their safety in the event that schools
4	them to be cognisant of the very strained context within	4	were to reopen and there was insufficiency of safety
5	which they were working, encouraging them to take	5	mitigations, remembering that that had been their
6	breaks, encouraging them not to work endless hours in	6	experience before schools closed, and they didn't have
7	the day to make sure that they were building in	7	certainty that things would be different when schools
8	sufficient recovery time at the end of each day and at	8	reopened.
9	weekends, in order that they could sustain what they	9	And there was also the fact that members were
10	were trying to provide for young people.	10	acutely aware of what was happening within the UK, you
11	So we provided guidance, we provided professional	11	know, daily the death toll increasing, daily the number
12	learning, we put together a whole series of professional	12	of hospitalizations increasing, and that was in Scotland
13	learning for our members around wellbeing. It was	13	as well. We had no vaccine at that time, you know, so
14	called "Our wellbeing matters", and that was very well	14	members were very well aware of that.
15	received by our members. But I'm not aware of $$ and	15	But they also $$ they were concerned about
16	the other thing we did was signpost them to lots of	16	themselves but they were concerned about at the ongoing
17	websites and, you know, other places that were already	17	impact of this crisis provision on the experiences of
18	available where they could go for immediate wellbeing	18	young people, and at this point in the year, you know,
19	support, but we felt that there perhaps wasn't the $$	19	March time, particularly on the senior phase learners,
20	you know, the national agency response to the wellbeing	20	who were soon to $$ under normal circumstances would
21	needs of teachers that there needed to be, in the	21	have been undertaking $$ many of them undertaking exams
22	earlier stages of the pandemic particularly.	22	or otherwise final pieces of assessment to enable them
23	Q. Thank you. You also talk about anxieties, and you	23	to acquire qualifications that, you know, for many of
24	describe at paragraph 72, and I think this is probably	24	them are very important for them getting to the next
25	again similar to what you had heard as we were moving	25	stage of their learner journey or into employment or,
	37		39
	57		37
1	into school closures, but you describe how 20% of the	1	you know, college, university or into the workplace.
2	respondents had had an underlying physical or mental	2	So they were concerned about that. So I think there
3	health condition that put them more at risk of COVID -19 ,	-	
4	and they were anxious and concerned about returning to	3	was for many members a real dilemma. They had that
	and they were anxious and concerned about returning to	3 4	was for many members a real dilemma. They had that strong sense of professional concern and responsibility
5	the classroom before it was safe to do so.		
		4	strong sense of professional concern and responsibility
5	the classroom before it was safe to do so.	4 5	strong sense of professional concern and responsibility for learners, and knew the importance of being at school
5 6	the classroom before it was safe to do so. Then you also talk at paragraph 76 about the	4 5 6	strong sense of professional concern and responsibility for learners, and knew the importance of being at school and in school buildings for them, but also the $$ I
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5 6 7 8	the classroom before it was safe to do so. Then you also talk at paragraph 76 about the heightened state of anxiety on top of increased workload was unmanageable and unsustainable for members.	4 5 6 7 8	strong sense of professional concern and responsibility for learners, and knew the importance of being at school and in school buildings for them, but also the 1 suppose just that instinctive need to protect themselves and their families, and that was particularly so where
5 6 7 8 9	the classroom before it was safe to do so. Then you also talk at paragraph 76 about the heightened state of anxiety on top of increased workload was unmanageable and unsustainable for members. Then you also have, later on in your statement under	4 5 7 8 9	strong sense of professional concern and responsibility for learners, and knew the importance of being at school and in school buildings for them, but also the 1 suppose just that instinctive need to protect themselves and their families, and that was particularly so where people were aware of particular health vulnerabilities
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5 6 7 8 9 10 11 12 13	the classroom before it was safe to do so. Then you also talk at paragraph 76 about the heightened state of anxiety on top of increased workload was unmanageable and unsustainable for members. Then you also have, later on in your statement under paragraphs 84 to 85, under the heading "Anxiety about education continuity", you have a paragraph about that; what specifically were members' concerns and reasons for this in relation to education continuity specifically ?	4 5 6 7 8 9 10 11 12 12 13	 strong sense of professional concern and responsibility for learners, and knew the importance of being at school and in school buildings for them, but also the I suppose just that instinctive need to protect themselves and their families, and that was particularly so where people were aware of particular health vulnerabilities that they had, so that was really, really difficult for many of them. Q. Thank you. And just finally, public pressure, you mention public pressure in paragraph 73. Could you
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- 23 of course, that impacts mental health and for some of
- 24 our members it also worsened physical conditions that, 25
 - you know, that they were -- that otherwise might have

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the reality is that on average they work 46. So 11 of

those hours are unpaid, but that's not well understood

by members of the public or certain sections of the

1	media and not well understood, it would seem, by some	1
2	politicians either.	2
3	There's also a perception that teachers get lots of	3
4	holidays. Yes, schools are closed for 12 weeks of the	4
5	year, but teachers are not paid for all of those	5
6	12 weeks of closure. That's not well understood either.	6
7	But nonetheless, I think there's a kind of general	7
8	perception that teachers, comparative to other workers	8
9	who are trapped in this long hours culture have got it	9
10	easy.	10
11	So there were some sections of the media, and some	11
12	politicians perhaps, and some pressure groups who were	12
13	very active at the time, who were of the view that	13
14	teachers shouldn't have been working from home at all,	14
15	and they wished to apply pressure at government and	15
16	probably local authority level, to force different	16
17	decisions than had been taken around the closure of	17
18	schools.	18
19	So teachers were aware of that and I think that when	19
20	teachers read things like that appear in the media or on	20
21	social media, they were quite $$ that impacted their	21
22	morale quite badly. They knew how much they were	22
23	straining to keep education going for young people, how	23
24	much they were doing, and yet they were being cast by	24
25	some as lazy, not contributing well enough to the	25
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1	collective effort around the crisis , and that was just	1
2	not true to say at all .	2
3	The other thing to say is that while that was the	3
4	view of some, thousands of parents during the months of	4
5	school closure and when schools reopened, were clear	5
6	about the lengths that teachers went to to ensure, you	6
7	know, quality provision for their children during	7
8	lockdown and afterwards to ensure quality education for	8
9	their children. And I think that thousands of parents	9
10	maybe had a stronger sense of how difficult and complex	10
11	a job being a teacher is , because of the experience that	11
12	they had in trying to support their own children's	12
13	learning at home.	13
14	So while there was that sort of maybe more in the	14

So while there was that sort of maybe more in the
right—wing media, that sort of castigating of teachers,
I think that that was strongly counterbalanced by the
deep appreciation that there was amongst thousands of
parents and other sections of society of the work that
teachers did over that period.
Q. Thank you. Just before we move off from impacts, you

21discuss in your statement in various places, but at 6522to 68, and then again at paragraphs 414 to 429,23disproportionate impacts on particular groups of workers

and the support that EIS provided to them. You talk

25 generally about those facing inequality and women and

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then disproportionate impacts, for example, on minority 2 ethnic teachers, women, disabled and pregnant. Would you mind, please, just briefly outlining what the specific issues were for those four groups, so minority ethnic, women, disabled and pregnant teachers, please, and what you did to support them. A. Okay, so in the relatively early stages of the pandemic, it became clear that people belonging to certain ethnic groups appeared to be at greater risk of serious illness and death from COVID than the general population who didn't, you know, share those same characteristics. And our Black ethnic and --- Black, Asian and minority ethnic members grew really concerned -- really concerned about that, so the EIS provided specific advice to those members and to the reps who were supporting them around bespoke risk assessment, and the kinds of considerations that there should be for enhanced mitigations to protect --- to protect those particular groups of workers In respect of disabled teachers, there was for some of them, not all, for some of them, the experience of not being granted reasonable adjustments at home, the kind of which they would have had had they been working in normal school environments, and in terms of the support that we gave to them, that would have been at

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1 local level with local reps perhaps intervening directly with the head teacher or negotiating with a local 2 authority to ensure that if a member is entitled to reasonable adjustments in the workplace, then those reasonable adjustments apply regardless of the -- you know, the workplace in which they happen to be at any given time. Obviously, there might have been minor adaptations to take account of homeworking in comparison to working in a busy school environment, but nonetheless, some disabled members, you know, were left struggling without reasonable adjustments while working at home. And even when we were talking about in school environments, and 14 changes were being made to take account of the risks, 15 there maybe wasn't sufficient equality impact assessment 16 of what those changes might mean for disabled teachers 17 in that environment. 18 So they had to somewhat strain to adapt rather than 19 there be by design consideration given to the needs of 20 disabled teachers in physical, you know, physical 21 environments or navigating physical environments. So, 22 for example, teachers with visual impairment, you know, 23 would be one example there. And women, I think it's kind of as I have touched on previously, you know, the 24

amount of work that women were doing at home and for

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1	school, you know, to support education continuity, but	1	
2	we know from a project that we did called 1,000 Women's	2	
3	Voices that the levels of mental health distress amongst	3	
4	women in particular were really high.	4	
5	Now, to some extent the women who participated in	5	
6	that work self—elected, so you could see, well, perhaps	6	
7	they did that because they were already feeling the	7	
8	strain and the stress and so wanted to express that, and	8	
9	it was good we gave them the opportunity to do that.	9	Q.
10	But what was worrying for us was that the levels of	10	
11	mental distress that were being reported through that	11	Α.
12	work were 30% higher for women teachers than for other	12	
13	groups of women, so we felt that that was significant.	13	
14	And the other thing in addition to, you know, the	14	
15	majority of the teacher demographic being women, there	15	
16	are particular groups of teachers where women are even	16	
17	more heavily represented, in, for example, early years,	17	
18	early years teachers who are the vast majority $$ high	18	
19	90 per cents are women.	19	Q.
20	And the feeling was that and the reality was	20	
21	actually that for different reasons, they were the least	21	
22	well protected by the mitigations that were put in place	22	
23	within the various sets of guidance. Early years, for	23	
24	example, as a provision was the last to close and the	24	
25	first to reopen, with the least protection in place, no	25	
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1	social distancing from children in the early years	1	
2	setting . And in fact early years teachers were actively	2	
3	discouraged from distancing from small children and in	3	
4	fact encouraged to cuddle them to provide reassurance to	4	
5	them. And for teachers, this seemed really	5	
6	counterintuitive to all the rest of the advice that was	6	
7	being given and to what all the rest of the evidence	7	
8	seemed to be saying about the contraction of $COVID{-19}$	8	
9	and the risks therein.	9	
10	But there was a sense that it was their duty, their	10	
11	professional duty to provide that comfort, and even a	11	
12	reticence on the part of employers initially to enable	12	
13	early years teachers to wear masks or face coverings	13	Α.
14	while doing all that. So, you know, in busy	14	
15	environments, you know, last to close, least strength of	15	
16	mitigations, and all the dilemmas and associated worries	16	
17	that, you know, that go along with that and it was	17	
18	similar for teachers, women teachers working in ASN	18	

while doing all that. So, you know, in busy environments, you know, last to close, least strength of mitigations, and all the dilemmas and associated worries that, you know, that go along with that and it was similar for teachers, women teachers working in ASN provision, because again, there's an even disproportionately higher number of women who work within additional support needs settings too, where young people struggled to understand, you know, social distancing, or their needs were so complex that they required intimate personal care, or they required an

adult right beside them in close proximity, helping them

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to manage certain physical actions or to be able to do certain things physically. And teachers in those settings felt that they were putting -- they were putting -- they wanted to put the needs of the young people ahead of their own, but they knew that that carried significant risk to them, so there was a whole lot of emotional strain that went along with that for them. Thank you. And then I suppose pregnant women is self-explanatory because they were vulnerable? Absolutely, absolutely, yes, absolutely and different advice or different application of the advice across different local authorities. And of course, it's not good for pregnant women to be under undue stress, and had there been, you know, just proper national provision around that that was universally applied across all 32 local authorities, and within all 32 local authorities, so much of that stress could have been alleviated. Thank you. I think if we can move on now just briefly to touch on reopening of schools in August 2020 and the issues around that, certainly in the preparation for that. I think in paragraph 96, there's a sense of deja vu, you say that -- you state that: " \dots the indecision, delays and prevarication experienced around the closure of schools was replicated

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1	in the planning for schools re—opening between April and
2	August 2020"
3	Then in paragraph 97, you refer to the impact on
4	members' workload and mental health and wellbeing:
5	" arising from the decisions by the Scottish
6	Government and the changes to their planning assumptions
7	in the period prior to schools re—opening"
8	And then you go on to address what was involved
9	specifically in relation to planning for blended
10	learning. Could you please discuss or just briefly
11	outline EIS's perspective on the challenges that this
12	presented, this planning for move to blended learning?
13	A. So that was a period of, you know, deep uncertainty,
14	having to kind of guess or anticipate what the direction
15	from government might be, making provision for all
16	scenarios, you know, plan A, plan B, plan C, plan D,
17	massive amount of work.
18	At this point, of course, schools were still closed
19	and were providing remote learning for young people, and
20	many teachers and headteachers were supporting hub
21	provision as well. So there were two other forms of
22	education provision underway at that time, and we have
23	already touched on the kind of workload implications of
24	that. But on top of that, there had to be planning for
25	different arrangements, and the planning assumption,

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1	because of the direction that the Scottish Government
2	seemed to be taking, was that there would be blended
3	learning in August.
4	So in schools, teachers and headteachers were
5	reorganising timetables to minimise the number of
6	interactions that there might be between pupils, they
7	were $$ they were moving furniture, they were
8	rearranging classrooms, they were thinking about the
9	kinds of safety mitigations that might need to be in
10	place, they were thinking about curricular provision for
11	in—person learning in classrooms, and then what young
12	people might do at home.
13	So a massive amount of planning around the
14	curriculum as well as, you know, the practical planning
15	that had to be in place in order to facilitate ,
16	particularly the in—person learning within school
17	buildings .
18	So, you know, so that was the $$ you know, that was
19	the planning assumption. With very short notice, there
20	was an announcement that school buildings would be open
21	to teachers to enable them to refine planning around all
22	of that. Again, there was no clarity as to what kinds
23	of safety mitigations would be in place whilst teachers
24	might be in school buildings to assist that work. So

might be in school buildings to assist that work. So 25 EIS stepped in, creating guidance to support members in

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1	that situation.	1	particularly school leaders.
2	And, you know, there was very, very intricate	2 0	Q. Thank you. Just one final qu
3	planning under way $$ under way locally around all of	3	before we move on to the nex
4	that, but to a large extent, those were wasted efforts,	4	you refer to the fact that as
5	because two days before the end of term, before the end	5	to schools, the EIS collated e
6	of the summer term, there was the announcement that the	6	processes that $$ and conce
7	planning assumption should change, and that the	7	you go on to give examples of
8	assumption now should be full reopening of schools to	8	cleaning, inadequate supplies
9	all students, all ages and stages, you know, if	9	of signage in schools, no gui
10	infection levels were sufficiently low on 11 August.	10	meetings etc. In relation sp
11	So that $$ the announcement of that U $-$ turn came	11	no enhanced cleaning and ina
12	without warning or consultation whatsoever, not within	12	sanitiser , how widespread, or
13	the CERG group and not with any individual trade union,	13	widespread that issue was?
14	certainly not with the EIS, as the largest trade union,	14 A	A. Yes, I mean, I think that tha
15	supporting, you know, the biggest number of members.	15	reported from the various loca
16	Critically , there was no scientific evidence provided to	16	obviously hand sanitiser was
17	justify such a change in direction. EIS members did	17	washing, hand sanitisation wa
18	note that the UK Government was also planning for	18	key mitigation. But there wa
19	reopening in September, and they were more than aware of	19	scarcity , there were issues w
20	the public pressure that was being applied by pressure	20	schools, but not only that, p
21	groups like us for them and some other individuals to	21	pandemic, no hot water in sch
22	force school reopening.	22	insufficient provision of soa
23	And that decision and the way that it was taken	23	These are basic health an
24	without consultation led to strengthening of perceptions	24	should have been in place any
25	that COVID safety for teachers was somewhat at the whim	25	of course, but even during th

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1 of political expediency rather than being, you know, a 2 paramount consideration. So there was huge amounts of 3 stress and anxiety associated with that. Headteachers 4 in particular barely had a summer break. They had 5 effectively been working nonstop since the previous 6 January. They didn't have really a spring break, 7 because of all the work that they were doing in support 8 of education continuity, and then their summer break was 9 significantly curtailed because of the announcement that 10 was made there, because they had to go back into school 11 buildings, often with colleagues, to undo all of that 12 practical work that had been done to support the 13 spreading out of kids in smaller class sizes to ensure 14 everyone's safety. 15 So to be honest. I mean, headteachers were exhausted 16 anyway by the time that announcement was made, and they 17 were practically on their knees by the time schools 18 reopened in the earlier part of August. And that was, 19 you know, something that was reported quite strongly to us through our headteacher network channels. And we did 20 21 a particular piece of survey work with headteachers that 22 kind of, you know, reiterated a lot of the concerns that 23 we were hearing through the network.

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really, really difficult time for teachers and

So, yes, that was a really, really difficult $\,--\,$ a

±		particularly school leaders.
2	Q.	Thank you. Just one final question about reopening
3		before we move on to the next topic. In paragraph 140,
4		you refer to the fact that as pupils gradually returned
5		to schools, the EIS collated evidence from members about
6		processes that $$ and concerns were quickly noted, and
7		you go on to give examples of, for example, no enhanced
8		cleaning, inadequate supplies of hand sanitiser, a lack
9		of signage in schools, no guidance on the size of staff
10		meetings etc. In relation specifically to the issues of
11		no enhanced cleaning and inadequate supplies of hand
12		sanitiser , how widespread, or are you aware of how
13		widespread that issue was?
14	Α.	Yes, I mean, I think that that was fairly commonly
15		reported from the various local associations . I mean,
16		obviously hand sanitiser was being recommended, hand
17		washing, hand sanitisation was being recommended as a
18		key mitigation. But there was still at that point
19		scarcity , there were issues with supply of sanitiser to
20		schools, but not only that, pre-pandemic and during the
21		pandemic, no hot water in school bathrooms and
22		insufficient provision of soap.
23		These are basic health and safety provisions that
24		should have been in place anyway and always as a matter
25		of course, but even during the height of the pandemic,

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decision-making?

they were in short supply, and at a time when we were 1 2 trying to get schools back and -- or the government was 3 trying to get schools back and fully functioning, but 4 without there being even those most basic of mitigations 5 or provisions to support one of the, you know, critical 6 mitigations at that time. So, yes, teachers were 7 concerned about that in addition to some of the other 8 examples that you outlined there. 9 Q. And just briefly, in terms of what members were saying 10 about this, what were they doing to address this? For 11 example, were they saying that they had to supply their 12 own, or they just weren't using? 13 A. I think teachers were buying their own hand sanitiser 14 where they could, and bringing it into classrooms, and 15 dotting it around the room, so that there was some 16 supply of it. But that would have been, you know, some 17 teachers doing that, not all teachers doing that, so a 18 bit of a mixed picture from our point of view. Teachers 19 shouldn't have had to do that. That was an essential 20 bit of kit at that point in the pandemic, and really 21 should have been -- there should have been certainty of 22 provision of that before schools were reopening in full 23 by that stage. Yes. 24 Q. Thank you. I'll just turn now briefly --- I'm just 25 conscious that we only have 15 minutes left and a lot to 53 1 discuss. Just briefly on the balancing of harms and the 2 four harms approach and the Scottish Government's 3 approach. I would like to ask you just a couple of

questions about that. I think you discuss the balance

of harms approach in a couple of places through your

statement, including at paragraphs 127 to 129 and at

about the balance of harms approach adopted by the

the balance of harms as a framework, you know, we

didn't -- we didn't critique it, we didn't, you know,

our members -- and I would also say that it was not

members didn't have a particularly strong perception

particularly well communicated to school staff. So our

that a balance of harms approach was being applied, but

know, we had access to documentation that was in draft

around guidance etc etc and we were in meetings where

the balance of harms approach was being talked about,

certainly the view of our members, was that in all the

considerations that were being made about, you know, 54

almost all of a sudden at one stage, our view, and

in officers and officials looking at it, because, you

sort of like develop any policy around that per se. But

11 A. So the EIS didn't have, you know, any specific policy on

paragraph 224. What concerns specifically did EIS have

Scottish Government and Public Health Scotland in their

1	education and how education should run and what kinds of
2	measures should be in place to ensure safety, they did
3	not feel that their immediate health and safety as
4	workers was being given appropriate priority .
5	And we don't have $$ we didn't have policy on the
6	balance of harms per se but we are very clear that a
7	policy framework such as that to help inform
8	decision—making doesn't trump the law when it comes to
9	health and safety at work, you know, it simply $$ it
10	can't trump the law. It doesn't displace health and
11	safety legislation and the legal duty of employers to
12	safeguard the health and safety of their employees.
13	That has to be of paramount and critical importance.
14	It was certainly paramount for us and for the 50,000
15	teachers that we were representing, school teachers that
16	is at the time, and of course the young people that they
17	were teaching, because teachers were obviously concerned
18	about their own safety, that of their families , but they
19	were also concerned about the safety of the children
20	that they were working with, the children and young
21	people that they were working with, particularly when so
22	many of those young people had health vulnerabilities or
23	their family members did.
24	And particularly in primary contexts, primary
25	teachers are very well aware of the wider health and

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1	social needs of whole families, so teachers at that time
2	had a deep fear of being infected, you know, by this
3	unpredictable virus. Many had underlying health
4	conditions. Even those with no underlying health
5	conditions knew how quickly the virus could turn when it
6	took hold in a person who otherwise was healthy. People
7	with disabilities , people from certain ethnic groups,
8	pregnant women, they all had particularly heightened
9	anxieties . Of course, these were rational fears . These
10	were not irrational fears. These were rational fears
11	based on what was happening in the UK, what was
12	happening in Scotland by that point on a daily basis.
13	But $$ and we articulated these fears in meetings.
14	EIS did that on behalf of members, but it seemed that
15	government and employers defaulted at the time, time
16	after time, to stress the primacy of the educational
17	needs of children and young people, and they downplayed
18	the risks to staff and our members very much felt that.
19	And it's also important to say that EIS members
20	wanted schools to be open, they wanted schools to be
21	open, they understood the educational and social impacts
22	of schools being closed. They cared about children,
23	young people and families but they needed to feel safe
24	at work and $$ sorry, they needed to feel safe at work
25	and didn't, and they needed to be safe at work, and they

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1		weren't sufficiently safe at work, because when you look
2		at the data around that, teachers were in the fourth
3		highest group of professionals to contract COVID -19 .
4		For us, the logic of that was that although they
5		might not have been amongst the highest groups to be
6		hospitalised or to die from COVID -19 , that vulnerability
7		to infection would also place them at higher risk of
8		contraction of long COVID. That's still an issue that's
9		being looked at, that we are campaigning around now.
10		You know, anecdotally we know that there's a significant
11		number of teachers suffering from long COVID.
12	Q.	On that, Ms Bradley, what do you think the impacts are
13		if any for your members of the approach the Scottish
14		Government took to $$ the four harms approach, or to the
15		balancing of harms?
16	Α.	I think a feeling that $$ I think an overriding feeling
17		that they didn't matter so much, that they didn't matter
18		enough, and that other things mattered more, that
19		perhaps political, economic, you know, considerations
20		around childcare mattered more than they did as people
21		who have families of their own, people with underlying
22		health conditions and vulnerabilities of their own, and
23		who also had family members at home with those kinds of
24		vulnerabilities .
25		I mean, like, if you're a secondary teacher of

1 English or maths, say, with classes of 30 or 33 each 2 time, and you teach six classes a day, just in teaching 3 your classes, you're interacting in a tight classroom 4 space with 200 young people a day, and over the course 5 of a week, that's 1,000 different interactions, because 6 those young people will also have been in contact with 7 others. So their status potentially changes, and then 8 there are all the corridor interactions, the dining room 9 interactions . 10

So teachers, you know, were well aware of the risks 11 and the intensity of the risks, but they did not feel 12 that those risks were being taken -- and the fear that 13 they felt around those were being taken seriously enough 14

by national or local government. 15 Q. Although EIS didn't have a policy in relation to the 16 balancing of harms, how does -- what does it think 17 believe the balance of harms approach should be, or how

- 18 it should be addressed in the event of another pandemic, 19 or doesn't it? 20 A. So in the event of another pandemic, I mean, I think
- 21 it's absolute right to have an expansive view of the
- 22 impacts of a public health crisis . Of course, you have
- 23 to have that. But in seeking to respond to it and to 24
- keep service provision going, you have to give paramount 25
 - importance to the health and safety of the people who

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are going to be delivering that service, and then other 1 2 things, you know, can be considered afterwards, but that 3 has to have primacy, and it has to have primacy because the law is otherwise there to -- supposedly to ensure 4 5 that. 6 The other thing to say is that the balance of harms 7 approach could have worked differently, given that 8 school buildings being closed did not mean that 9 education would stop, or school buildings having, you 10 know, a blended learning approach operating within them, 11 didn't mean that learning would stop, education wouldn't 12 have stopped. There was other means by which education 13 could have been and was being provided for young people, 14 and so it wasn't the be all and the end all for school 15 buildings to be open, although nobody is contesting that 16 that is the optimum. That is the optimum, but from our 17 point of view, you can only have that optimum in 18 practice if the risks are sufficiently low, or the risks 19 are sufficiently well handled, and in the views of our 20 members, substantiated by the, you know, wealth of data 21 that we have around that, they weren't. 22 Q. Just finishing off on this point, in the context of 23 Omicron in paragraph 229, you say that: 24 "The whole narrative around the priorities in 25 schools left [your] teachers and school staff with the

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1	perception that their health and wellbeing was not a key
2	consideration in the assessment of risk, even in light
3	of a more transmissible strain of the virus."
4	It's a similar concern to one you have articulated
5	already, and you then go on in paragraphs 230 to 233
6	with reference to your discussion of the critical
7	national infrastructure to say that:
8	"The perception by teachers and school staff that
9	their health and wellbeing was not a key consideration
10	in the assessment of risk was reinforced by the
11	inclusion of Education in the Critical National
12	Infrastructure Exemption Scheme"
13	We don't have time to go into that and what it was,
14	and we have got your statement, but just based on
15	information given to EIS by its members, is it possible
16	to say whether and to what extent teaching and other
17	educational staff in Scotland might have felt under
18	pressure to go to work even in circumstances where they
19	might not have been feeling well; was that a
20	consideration or not?
21	A. Well, that was certainly our worry, that, you know, that
22	teachers would feel, with a provision like that, that
23	they were being encouraged not to abide by the $$ you
24	know, the guidance that was in place otherwise, and to

25 go into school, to go into school, and they were

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1	cognisant of the large numbers of their colleagues who
2	were off at any given time. Sometimes we were talking
3	more than 1,500 teachers off because of COVID infection,
4	and teachers knew the strain that schools were under to
5	keep education going with so many staff absences and
6	whether, you know, whether $$ whether they did it
7	explicitly or not, school leaders and local authorities
8	would have felt quite desperate, I think, in a lot of
9	the circumstances, and the teachers $$ teachers would
10	have felt emotional pressure, I think, to maybe abandon
11	or somewhat disregard the measures that were otherwise
12	in place to keep others safe, in order that there would
13	be sufficient levels of staffing to keep schools open.
14	So that was another hideous dilemma that many had to
15	grapple with, and from our point of view it was one that
16	should never have been put $$ it was one that should
17	never have been put to them, the idea that you can
18	volunteer to opt out of essential safety mitigations.
19	We didn't think that that was really sound, you know,
20	sound rationale in the first place, and we advised our
21	members that they should not feel whatsoever compelled
22	to attend school if they had been identified as a close
23	contact, or if they had felt that they were not fully
24	recovered from COVID -19 , and to alert a rep in the
25	circumstance that they did feel that they were being put
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1		under pressure to attend.
2	Q.	Thank you. I just have a quick question or two in
3		relation to reopening of schools in February 2021, and
4		specifically around the campaign for vaccination of
5		staff working in the education sector.
6		You say $$ in paragraph 195 you refer to the fact
7		that vaccination of school staff was a key campaigning
8		objective. What was the EIS's position on the
9		vaccination of school staff as a key campaigning
10		objective? What were you seeking to achieve?
11	Α.	So it's a bit like $$ or this speaks a little bit to the
12		question around the balance of harms as well. So if you
13		wanted to apply the balance of harms in the way that was
14		being, you know, suggested by the Scottish Government in
15		particular , then you had to really max up on the
16		mitigations within school buildings, given the levels of
17		infection at the time.
18		And in order for there to be in—school, in—person
19		education continuity, you had to have sufficient numbers
20		of teachers able to provide that, but we had huge
21		numbers of teachers ill with COVID because they hadn't
22		been vaccinated. So we said that a major component of a
23		strategy like that should be the priority vaccination of
24		teachers, and we said that in cognisance of the
25		vaccination capacity that we had in Scotland at the

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2 vaccinations a week. With a teaching workforce of 3 50,000, we could have vaccinated practically every 4 teacher in Scotland in a matter of days, and that would 5 have given them personal protection, in terms of going into schools, lesser risk of damage being done by 6 7 COVID-19, but also would have helped to control the 8 levels of infection that clearly were emanating from 9 school buildings being open in the way that they were, 10 without there being either sufficient mitigations in 11 place, or inability of young people for whatever reason, 12 or unwillingness in some cases of young people to adhere 13 to those mitigations. 14 So we thought that that was a kind of no-brainer, really , a really kind of straightforward thing that 15 16 could have been done, but we didn't -- we never won on 17 that one, we never got anywhere really with that one. 18 So at the same time we were pushing for clinical grade 19 masks, we were pushing for improved ventilation and the 20 provision of -- you know, the provision of CO2 monitors 21 and the appropriate actions being taken when CO2 levels 22 reached a certain level and so on, and all sorts of 23 other mitigations to help protect people, but we didn't 24 ever get agreement that teachers should have priority 25 vaccination, although we did get it in the earlier phase

time, which was the ability to issue 400,000

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1	of the vaccination roll —out programme for additional
2	support needs teachers, because of the intimate care and
3	the close proximity that they might have been in in
4	respect of support for, and, you know, providing
5	education to young people with particular additional
6	support needs.
7	So we thought that, you know, the approach in phase
8	2 should really have followed that common-sense approach
9	that was taken in phase 1 albeit after the EIS had
10	pushed very strongly for it .
11	Q. Thank you very much. We have less than a minute to go,
12	and I have not touched colleges, but we have your
13	statement, thank you very much, which is comprehensive,
14	so we'll take that into account. You have one minute
15	left . If I could ask you to $$ are there any other
16	particular lessons to be learned? We do have your
17	lessons to be learned in your statement from paragraph
18	501 to 521, but if there are any particular ones that
19	you want to flag up and draw to his Lordship's
20	attention, please do that now?
21	A. Okay. I think what became very quickly apparent with
22	the onset of COVID was that our education system was not
23	resilient enough to cope, and I think that $$ I think
24	that we need to respond now to make sure that in the
0 E	avent of eachbox public boolth emergency like that one

25 event of another public health emergency like that one

1	or something else that caused that kind of disruption to
2	education, that we're not in the same set of
3	circumstances.
4	So an agreement of a template national approach now
5	in the event of another pandemic or form of system—wide
6	disruption occurring, with leadership from the Scottish
7	Government and national bodies critically in partnership
8	with trade unions so that we can agree what would be the
9	swift national response in the event of something like
10	that happening; and for that to occur, there has to be
11	trust in trade unions as a representative professional
12	and industrial voice of teachers, and that requires
13	culture change and we require that pretty urgently.
14	We have got a whole framework around fair work; we
15	need to enact that. We need to enact that in full. We
16	need a set of principles that are co-created that would
17	underpin a national framework that could be enacted in
18	the event that we need it. We need those principles to
19	take cognisance that business as usual will not be
20	possible or indeed desirable amidst such a crisis , and
21	even when we get to the early stages of education
22	recovery, business as usual can't be an option.
23	The principles must take full account of equity and
24	anuality appointant to be approved of the demonstration

equality considerations, take account of the demographic
 of the workforce, and respond to all of the needs of

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1	that, you know, that particular demographic, and build
2	all of that into the design of any framework and the
3	underpinning principles, rather than do it as $\operatorname{add}-\operatorname{ons}$
4	later under emergency crisis conditions. And within
5	that framework, health, safety and the immediate
6	wellbeing has to be the priority , the immediate
7	wellbeing of workers, school staff has to be the
8	priority , as is the law above all other less pressing
9	considerations. They are important considerations
10	but $$ of course they are, but they are less pressing
11	considerations. Protection of life and health with
12	extra considerations of particular vulnerabilities has
13	to be $$ you know, has to be the $$ you know, the kind
14	of the ultimate and the first priority .
15	And I think if we did that, so many of the other
16	things that I've talked about would naturally flow from
17	that, and I think that as a country, we would be much
18	more able to respond. Investment in education now,
19	sufficient numbers of teachers, class size reduction,
20	proper ASN provision, free school meals provision and a
21	cash first approach in the event that school meals

22 provision is not able to happen; if all of these things

- 23 were done now, then we wouldn't be under such duress in 24 very difficult circumstances and under very you know.
- very difficult circumstances and under very, you know,tight time constraints in the future.
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So much preparatory work could be done now, and I 1 2 think trusting teacher professional judgment at the chalk face, if you like, also a really critical factor 3 4 of that. So I think that we need culture change as well 5 as resources at all stages and at all sections of our 6 education system, in order that we are much more is 7 resilient than we were first time around. 8 But I would just also finish by saying that the 9 effort of schools and teachers and other members of 10 school staff was colossal from the beginning of the 11 pandemic and continues to be today, because they are 12 still very much navigating the impacts of it, and trying 13 to steer their way towards some kind of education 14 recovery without sufficient resource to do so. 15 MS VAN DER WESTHUIZEN: Thank you very much, Ms Bradley. My 16 Lord, we have gone slightly over three minutes over; I 17 have no further questions unless your Lordship does? 18 THE CHAIR: No, I have no further questions. Thank you, Ms van der Westhuizen. Thank you, Ms Bradley. That's 19 all . We'll come back at 1.30. 20 21 (12.34 pm) 22 (Luncheon adjournment) 23 (1.30 pm)

- 24 MR STEPHEN: Good afternoon, Lord Brailsford.
- 25 THE CHAIR: Good morning, Mr Stephen. Do you have a witness

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1	for us?					
2	A. I do. The next witness giving evidence today, my Lord,					
3	is Seamus Searson of the Scottish Secondary Teachers					
4	Association, or SSTA.					
5	MR SEAMUS SEARSON (called)					
6	THE CHAIR: Very good. Good afternoon, Mr Searson.					
7	A. Good afternoon.					
8	THE CHAIR: Right there will be some questions for you by					
9	Mr Stephen, and when you're ready, Mr Stephen, please					
10	start .					
11	Questions by MR STEPHEN					
12	MR STEPHEN: Can I start by asking you to confirm your full					
13	name, please?					
14	A. It's Seamus Searson.					
15	Q. Thank you, and you have already provided a written					
16	statement to the Inquiry. For the record, the Inquiry					
17	reference number for that statement is					
18	SCI-WT0872-000001.					
19	Just to reiterate at the outset that everything you					
20	have said in that written statement will be taken into					
21	account by the Inquiry, even if we don't touch on every					
22	single aspect of that in your oral evidence today. Just					
23	a gentle reminder that the hearing is being transcribed,					
24	and there are stenographers taking notes for that					
25	purpose. So please do try and speak slowly and clearly,					

- 1 thank you.
- 2 So you're here today to give evidence on behalf of 3 the Scottish Secondary Teachers Association; is that 4 correct? 5 A. That's right. Q. I'll call it the SSTA for short, save us some time. 6 7 Your current role there is general secretary? 8 A. Yes. 9 Q. That's a role that you have held since 2015? 10 A. Yes. 11 Q. So during the pandemic. Thank you. What does that role 12 in headline terms entail?
- 13 $\,$ A. It oversees our membership. Our membership is about
- 14 6,000 secondary school teachers, some of those employed
- 15 within the local authority, and we have members at every 16 position in the school, but only teachers, classroom
- 17 teachers up to headteachers.
- 18 Q. Thank you, and what would you describe as the core aim19 or objectives of the SSTA?
- 20 A. Well, obviously, it was created to look after the
- 21 interests of secondary school teachers. When it was
- 22 established in 1944, it broke away from the EIS because
- 23 they believed that secondary voices were being lost, so
- 24 they created their own union.
- 25 The other part which is really important to me is

- 1 secondary education, so those two things bind all our 2 members together.
- Q. Thank you, and you mentioned you have around 6,000
 members; what's the make—up of that membership. Is
 that —
- A. Predominantly female membership. Somewhere in the
 region of 25% of our members would be male, but the
 majority would be female.
- 9 Q. Okay, and I think you say in your statement at paragraph
- 10 7, that maybe around 700 members are working in
- 11 independent schools as well?
- 12 A. That's correct, yes.
- 13 Q. Thank you. I want to turn first to the closure of
- schools, if I can start with that. At paragraph 9 ofyour statement, you say:
- 16 "Although there were warning signs at the start of
- 17 2020 around COVID-19, it started to be taken more
- 18 seriously by Scottish Government in March 2020. My
- 19 general view was that there was a real commitment to try
- 20 \$ and keep the schools open for as long as possible ... "
- 21 Just to start with, then, what were the feelings
- 22 $\hfill being made known to you by your members around that time <math display="inline">\hfill$
- 23 just ahead of closure, given what you have said there
- 24 about this commitment to try and keep schools open, what
- 25 were you hearing from SSTA members at that time?

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1 A. The main part we heard from our members was obviously 2 concern about the exams, because secondary school 3 teachers, that's always been the main focus, so 4 teachers --- if you like, COVID was something that was 5 coming, but they didn't know much about, but what they 6 were concerned about is they were getting prepared for 7 the exams that were taking place during the summer term. 8 And then there was a -- I won't say a panic, but there 9 was a big drive to get as much evidence and prelims 10 together prior to mid-March, so schools would not 11 normally do prelims, but they thought: if the schools 12 are closed, we need to get some evidence together. 13 So the focus from our members was really trying to 14 get the evidence together as best we could for the 15 examinations, should there be no exams in that summer. 16 but what we did find is that the schools were 17 prioritising certain subjects, so therefore subjects 18 like English, maths and sciences were picked up as the 19 priority , and other subjects were -- our members were 20 actually saying to us: we are going to be judged on 21 results when we haven't been able to see the children 22 for the last number of weeks. 23 Q. Thank you. We will come back to exams. I suppose my 24 question was, what was the general feeling of SSTA 25 members at that time about the fact that closure was

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1 coming; were there any concerns ---2 A. Yes, as I said, that was the main concern at that point 3 because, as I say, we didn't know a great deal about COVID other than the stories that we heard, but the 4 5 priority for most of our members at that time was 6 actually getting their work done and getting the exams 7 done. 8 Q. Was there any fear or anxiety from your members either 9 in relation to themselves or others with this commitment 10 as you said to keep schools open at that time? 11 A. Not necessarily prior to mid-March. That really became 12 abundantly clear as soon as lockdown -- if you like, the 13 reality hit, the schools were closing and then there was 14 a real fear amongst the members at that point. 15 Q. Okay, and what were those fears? 16 A. A whole range of fears, because obviously as I mentioned 17 there, exams were one of the big drivers, but then they 18 started to look at themselves and realised that they 19 were putting themselves at risk, particularly their own 20 families, as most people at that time weren't really 21 sure what was going to happen, but then people started 22 to -- when they took their mind off the education 23 situation, and actually looked at themselves and their 24 own families, they realised that not only would they be 25 vulnerable, because members cross all age groups and

some would have underlying health conditions, but 1

- 2 equally, the more concern seemed to be for other members
- of their family, the children or older parents or uncles 3
- 4 and aunts and so on. That was a real worry for them. 5 So that became more of an issue once the schools
- 6 actually closed.

-	
7	Q. Thank you, and what was the SSTA messaging then to its
8	members? What were you saying to them about these fears
9	and anxieties that they had?

- 10 A. Well, we were quite clear that the most important thing 11 was keeping people safe, and particularly our members,
- 12 the teachers, because we realised that they could be
- 13 vulnerable because of the position that they hold, you
- 14 know, in schools. And we knew there was a drive to $\ensuremath{\mathsf{try}}$ 15
- and keep schools open in some way at some point, but as 16 I say, that was the overriding concern that we got ---
- 17 initially , up to March, the concern was about getting
- 18 their exams done. But after that there was like a
- 19 turning point. They started to look and realise:
- 20 actually, this is real and it's happening.
- 21 And members were frightened. They really didn't
- 22 know what was going on, and we were in constant contact
- 23 with members on the phone, by email, saying to us: $\ensuremath{\mathsf{XXX}}$
- situation . So we tried to give general advice that 24
- 25 would cover all those categories, but the main priority

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1		for us was keeping our members safe and equally the
2		children safe as well.
3	Q.	Thank you, and I think you kindly provided to the
4		Inquiry, I think, an example of messaging that you
5		provided to members, an SSTA message. I won't go to it,
6		but for the Inquiry's record, that's SCI-SSTAxx000001.
7		You mentioned safety first. Was the SSTA making those
8		same points about safety first to the Scottish
9		Government at that time?
10	Α.	Yes, that was a constant theme of everything we said,
11		because, you know, the various groups that were set up,
12		particularly the Workforce Implementation Group, which
13		was a make-up of all the $$ not only teaching unions,
14		but education unions. We met with representatives from
15		COSLA, the employers' organisation, and there would be
16		people from the Scottish Government there in attendance
17		as well.
18		We also had people from health and, you know, some
19		of the scientific people came to those meetings, but
20		that was the point that we all made, from the teacher
21		unions and the nonteaching unions, was trying to keep
22		everybody safe, that was our main concern, and we made
23		that clear right through every opportunity we possibly
24		could. That was our first starting point.
25	Q.	Okay, and we won't go into implementation or

Q. Okay, and we won't go into implementation or

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1		desiring motions because that's not the value of this
		decision—making, because that's not the role of this
2		phase, but you mentioned the Workforce Implementation
3		Group, so these fears and anxieties that your members
4		had, that would have been the forum to which you were
5		making those concerns known?
6	Α.	That was the only forum at that stage, and we would have
7		made those representations, and we would have reported
8		back to our members the conversations and reports of
9		those meetings. That was a regular thing. Immediately
10		after each of those meetings, I would send a report out
11		to all our local $$ officers, so they were fully aware
12		what was going on.
13	Q.	Thank you. Now, at paragraph 8 of your statement,
14		I think you state your ultimate belief that the decision
15		to close schools was the correct decision at that time
16		albeit you go on to say that young carers and children
17		in special schools were a major issue, but your view was
18		that the decision to close was correct?
19	Α.	We did, yes, there was no $$ as far as I was concerned,
20		there was no option. Until we knew more about what was
21		going on and put measures in place, that was the only
22		option we could possibly do was close schools at that
23		point in time, until we could work out what the plan of
24		action would be to try and change that, but to continue
25		schools to run while there was uncertainty there, we
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	would have had real problems, because the children may
	have turned up and some of them may not have, and
	teachers would have been pressurised $$ that is probably
	not the right word, pressurised, but felt a duty to go
	into school even though their own circumstances could be
	vulnerable.
	So I think exactly that closing the school was the
	right $$ and to review where we were and then put a plan
	in place for whatever steps we wanted to go forward.
Q.	And to be clear, you thought that was the correct
	decision because of the safety first approach that
	you've mentioned already?
Α.	Yes, most definitely, yes. It would be no different in
	terms of if there was no running water in a school or
	the heating had gone in the middle of the winter. It's
	an obvious thing, that's the first thing to do: stop,
	review where we are and move forward. So as far as
	I was concerned, it would be no different to any of
	those examples.
Q.	Thank you. You mentioned young carers and children with
	special needs as a major issue. We will come back, time
	permitting, to children with additional support needs in
	due course, and the Inquiry has helpfully heard evidence
	already, for example, from Carers Trust Scotland and
	Α.

PAMIS in respect of those.

25

1	I want to move on then to delivery of teaching or	1	You have explained the aim of the survey. You
2	education online or remotely, given the school closures.	2	mentioned earlier on that you have 6,000 members.
3	At paragraph 29 of your statement, you describe teachers	3	many of those were responding to that survey in the
4	as being in a very poor situation, and you mention a	4	first place?
5	survey of your members that was done by SSTA in the	5	A. We were very fortunate. We were getting more than
6	autumn of 2020. You provided a copy of that to the	6	60% replies to the surveys, and partly because the
7	Inquiry and that's on the SSTA website, but for the	7	surveys weren't long, but they were actually relevant
8	Inquiry record the reference to that survey is	8	what was going on at the time. So we found that me
9	SCI–SSTAxx–000002, title being "Lockdown Learning	9	did respond quite well to those.
10	Depended on Teachers' Resources and Resourcefulness".	10	Q. You mentioned some of the findings; was online teach
11	What was the aim of that survey to start with?	11	an environment with which teachers were familiar price
12	A. We were getting concerns from members that were asked to	12	to that time?
13	deliver online learning, and one, they didn't have the	13	A. No. There would only be one or two places in the
14	equipment or the training to actually deliver some of	14	country where online teaching $$ in the rural areas
15	those things, so teachers, being very resourceful, found	15	where that would have happened, and there are issue
16	ways and means to actually do that, but what we were	16	over that and how that's being delivered, but the vas
17	also concerned about is that they didn't have the	17	majority of teachers would have had no experience o
18	equipment either.	18	online learning at all .
19	And that was a major concern, because when lockdown	19	Q. You mentioned equipment in passing; was that some
20	took place and online teaching $$ there was an	20	that teachers were all provided with?
21	assumption that teachers were skilled in online, you	21	A. No, it was very varied. Some of the equipment, if t
22	know, arrangements which is not the case; equally,	22	got any, was old and wasn't really suitable for the
23	didn't have the equipment to do it either. It is a	23	task. There was a reliance that teachers would actu
24	major concern in schools anyway. There isn't enough IT	24	use their own equipment if they had some, and I thir
25	equipment for everybody. And we were in a situation	25	that was $$ a real problem is that we haven't actua

 work and were having to resource as best we possibly could, and what we wanted to find out from our members was how willing or able were the employers to actually provide the equipment necessary. And what we found, you know, they weren't in that position either. So it was really just to reassure people, because what we were getting from members was they were under pressure to get things done, but they didn't have the wherewithal to actually do that. So the survey was really to reassure members that we were, you know, as I said, we reported these things to the WIG group, but we just wanted to make it clear that some of the expectations had to be more manageable. But it was a big learning curve for many teachers, and many of them were able to adjust very quickly, which we would probably expect, but either like the support in terms of actually having wi—fi that they could use was an assumption that was made, when actually that's not the case at all . It 's something the teachers, I have got to commend them for. They did step up to the mark and do the best they could, but it was varied across the 	1	where, you know, people were sent home, you know, to
 was how willing or able were the employers to actually provide the equipment necessary. And what we found, you know, they weren't in that position either. So it was really just to reassure people, because what we were getting from members was they were under pressure to get things done, but they didn't have the wherewithal to actually do that. So the survey was really to reassure members that we were, you know, as I said, we reported these things to the WIG group, but we just wanted to make it clear that some of the expectations had to be more manageable. But it was a big learning curve for many teachers, and many of them were able to adjust very quickly, which we would probably expect, but either like the support in terms of actually having wi—fi that they could use was an assumption that was made, when actually that's not the case at all. It's something the teachers, I have got to commend them for. They did step up to the mark 	2	work and were having to resource as best we possibly
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	20	the case at all . It's something the teachers, I have
and do the best they could, but it was varied across the	21	got to commend them for. They did step up to the mark
	22	and do the best they could, but it was varied across the

22 23 country.

24 Q. Thank you, and forgive me, we'll just try and take it in

25 stages, because there's a few things you said there.

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ed earlier on that you have 6,000 members. How those were responding to that survey in the ice? very fortunate. We were getting more than 50%, ies to the surveys, and partly because the weren't long, but they were actually relevant to going on at the time. So we found that members and quite well to those. tioned some of the findings; was online teaching onment with which teachers were familiar prior ime? ere would only be one or two places in the where online teaching -- in the rural areas at would have happened, and there are issues and how that's being delivered, but the vast of teachers would have had no experience of arning at all. tioned equipment in passing; was that something chers were all provided with? as very varied. Some of the equipment, if they was old and wasn't really suitable for the here was a reliance that teachers would actually own equipment if they had some, and ${\sf I}$ think 25 that was -- a real problem is that we haven't actually

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1	moved on from that either since.
2	So, for example, training for online teaching has
3	not taken place since, so, if you like, preparing for
4	another eventuality or developing online teaching, this
5	would have been an opportune time to move in that
6	direction , but we're still struggling in schools, as I
7	mentioned already, to have adequate IT equipment, and
8	most schools complain they don't have the connectivity
9	to actually run some of the equipment if they did have
10	it .
11	Q. Sticking with equipment, was it your evidence then that
12	teachers were having to source their own equipment
13	rather than that being provided by their institution or
14	local authority?
15	A. Yes, it was expected. Even one authority made a
16	remark $$ informed when we made the issue that teachers
17	were earning enough money that they should go out and
18	buy their own equipment $$ and that's not $$ as
19	employees, if they needed to use certain equipment, it
20	should be provided by the employer.
21	Q. Okay. What about in terms of impact on workload for
22	teachers? I'm thinking of lesson preparation etc in
23	this online environment. What if any intact did this
24	shift to online learning have?
25	A. Well, normally teachers prepare the work they know

1		they're going to do for the whole year, the scheme of	1	Q.	I think at paragraph 32 of your statement, I think you
2		work, the plans are already prepared, and they would be	2		say common sense would suggest that you would be better
3		working together. You know, usually teachers in the	3		looking for quality rather than quantity in terms of
4		same department would be working together, providing	4		teaching hours online.
5		materials that they would use through those $$ with the	5		I think you query whether it would be a productive
6		expectation those materials would be used in class with	6		exercise to stick to regular school hours if you like?
7		children, you know, at that time. What we found was	7	Α.	Well, I mean, there was no reason to stick to the
8		that teachers were having to spend a long period of time	8		regular school hours, because children didn't have to
9		actually developing new materials that would cover	9		get from A to B, they were in one place. And often with
10		online teaching, because we couldn't just lift what we	10		school situations, the timetable is written to break up
11		would normally lift and put into those situations .	11		the day into reasonable chunks.
12		So a lot of time was spent by teachers developing	12		During lockdown we had the opportunity that teachers
13		work, and particularly in terms of those youngsters that	13		could actually spend —— instead of a 15—minute or
14		were getting ready for exams, there was a real worry	14		45—minute lesson, they could actually spend a little bit
15		that we needed to keep on doing that sort of thing as	15		longer. Therefore it was quite feasible in our view
16		well, but it would have taken if you take, for example,	16		that schools rearrange the timetable to make sure that
17		a lesson, if it's an hour lesson, you spend $$ between	17		teachers were available for bigger chunks of the time
18		one and two hours in preparation for that lesson and	18		during the working day. We did have the examples where
19		that wouldn't be unusual. But under these	19		some schools wanted people sitting at their desks at
20		circumstances, it could have been longer, because we had	20		8.50 in the morning, and staying there until the end of
21		to make sure that whatever materials we produced met the	21		school. But that's not reasonable.
22		needs of all the youngsters in the class.	22		It also didn't allow people to prepare lessons ,
23	Q.	Thank you. I just remind you again about the	23		because if you're on duty all the time, you can't be
24		stenographers that will be trying to note down what you	24		doing anything else, and I'm going to add, you might
25		say. I note your pace is relatively quick, so just	25		mention this later , that some sort of our members had
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1		remind you of that, thank you. I think you said in your	1		caring responsibilities as well, and therefore this
2		earlier answer that teaching was not provided to	2		became $$ made it much more unlikely to be able to
3		teachers, is that correct, in terms of delivering in the	3		manage it, whereas if a teacher knew there was
4		online environment?	4		commitments for an hour here, an hour there, they could
5	Α.	There was no training available for teachers. Even when	5		actually work to that and look after their children at
6		lockdown occurred, there wasn't any training. Nothing	6		the same time.
7		took place. So teachers had to be resourceful to	7	Q.	Yes. Yes, you mentioned caring responsibilities ; do you
8		actually try and meet those needs.	8		think sufficient allowance was therefore made for those
9	Q.	Thank you. And did that online learning day in your	9		that had those?
10		experience mirror that of what would have been the case	10	Α.	That was one of the major problems that we had, is that
11		in the normal school environment? Was that the	11		schools, local authorities, when they started to try and
12		expectation or reality ?	12		open up the schools, that was a major concern for us,
13	Α.	It couldn't be, because the classroom is a unique place	13		because it was like: your duty is to be at work. In
14		to be, and when it's online, the teachers aren't aware	14		some of ways $\ {\rm I}$ would say the majority of schools were

- quite understanding, but there were examples where 15
- 16 members were put under pressure to come in, even though
- 17 they knew they had other caring responsibilities as
- 18 well. And we had to intervene as best we could as a
- 19 union to actually say: this is not actually a good use.
- 20 We advised our members that had caring responsibilities
- 21 to make themselves available to do online teaching so
- 22 they were continuing to work, but I think there was a
- 23 little bit of fear: well, if A can do it, why can't B do
- 24 it . But everybody's situation is different . We thought 25

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people should be understanding of that difficulty .

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of what every youngster is doing or not doing at that

mention it further on, is that teachers were preparing

continued, the youngsters weren't engaging. They might

come to the lesson, but they wouldn't complete the work,

particular point in time. The worry --- I think I

work for some of the youngsters, and as lockdown

environment, the teacher would obviously have that

were doing the work. So it was a little bit of a

one-way stream.

contact, build relationships and ensure the youngsters

which was frustrating, because in a classroom

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Day 63

1	Q.	You used that word "pressure" and it appears in other
2		places in your statement. Where, to be clear, is that
3		pressure, do you think, coming from?
4	Α.	In the first instance, it would be pressure from the
5		senior people in the school, but we also believe that
6		there was pressure from those above, you know, in terms
7		of local authorities, to try and keep the schools open,
8		or provide provision especially for those children that
9		needed to be looked after.
10		So there was pressure down, and I think sometimes
11		the people at the top hadn't really realised what was
12		really happening on the ground. As far as they were
13		concerned, their job was to try and keep the schools
14		open or some parts of the school open, without actually
15		taking into consideration the people that work in there,
16		and as I said, people with an underlying health
17		condition.
18		We were getting calls from members, saying: I have
19		been told I have got to come to school, but I'm worried
20		about my own condition; and we would have to intervene
21		and try and make changes to that. But that was the sort
22		of blanket message that was coming out, you know: we
23		want to get things back to normal as soon as we can; and
24		particular children needed to be looked after, and I'm
25		using that word very carefully, rather than taught, they
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		65
1		were looked after by teachers or others in schools.
2	0	Thank you. Sticking then just with the situation of IT
3	ч.	and equipment just for now, and then we'll move on, and
4		I think you touched on this in one of your earlier
5		answers: how would you sum up preparedness in Scotland's
6		secondary schools now in respect of IT equipment
7		infrastructure if there was to be another pandemic?
8	۸	We would be in exactly the same position as we were back
° 9	А.	
Э		in 2020. We are struggling to get IT equipment in

	T think you touched on this in one of your curren
	answers: how would you sum up preparedness in Scotland's
	secondary schools now in respect of IT equipment
	infrastructure if there was to be another pandemic?
Α.	We would be in exactly the same position as we were back
	in 2020. We are struggling to get IT equipment in
	schools because of the cut—backs that are going on. If
	we have a lockdown again, other than the teachers having
	experience of doing it , there has been no real training ,
	or no new equipment made available to do that. So I
	think we would be in exactly the same place as we were
	then.
Q.	Thank you. I want to move on now to exams, and you
	touched on this at the beginning of your evidence, but
	just to explore that in a bit more detail. At paragraph
	58 of your statement, you say that all additional
	working impact ceased during the pandemic, which was a
	"godsend". I think there you were talking about
	inspections, other, perhaps, "bureaucracy", I think is
	the way that you put it.
	But at paragraph 59 you say that exams were the

 24
 But at paragraph 59, you say that exams were the

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 biggest problem for the SSTA secondary teacher members,

1		and brought the highest amount of work. What were your
2		members being asked to do? Can you elaborate in some
3		more detail as to why that was the case?
4	Α.	As I said, before lockdown took place, teachers were
5		under tremendous pressure to get those youngsters that
6		were going through national qualifications, the senior
7		children, to get evidence together. Nobody knew what
8		evidence would be required, so if you like, it was belt
9		and braces. Everything that could be done was being
10		gathered together in schools prior to that. And that
11		was obviously, as I said, exams for secondary schools
12		teachers is how many schools are judged, and how the
13		teachers are judged themselves. I mean, each year when
14		the exam results came around, the school gets judged on
15		it even though we haven't got league tables, that's what
16		appears in the press. And likewise within a school, the
17		exams of each department is measured against each other.
18		So, you know, that pressure has always been there $$
19		it's been there and probably will continue for a few
20		more years, but there was that worry, and I'm going to
21		put that slightly $$ a bit more to that is it was really
22		about doing the best for the young people, as much as I
23		said about the league tables and whatever, the teachers
24		didn't want any of the young people to be let down.

So whatever they were asked to do or could find ways

1	of doing, they would do it. If there was a school up
2	the road that was doing X, Y and Z, they would introduce
3	that X, Y and Z because they didn't want to put their
4	youngsters at a disadvantage. So there was a real
5	pressure prior to the lockdown, and then there was the
6	worry what was going to come next, and, you know, most
7	people probably gauged, and we probably gauged the same,
8	that schools wouldn't be ready for the exams to take
9	place in the summer, and we made that clear back in
10	April , you know, soon after the exam $$ the schools were
11	closed, that, you know, the likelihood of us being back
12	to any form of normality was remote.
13	And we argued that we needed to get something else
14	in place to actually do the exercise of $$
15	qualifications that summer, and I also have mentioned
16	that soon afterwards, we actually said the same for the
17	following year, because of the break that had taken
18	place, that we should actually be looking at a different
19	model for qualifications in 2021.
20	But I think people didn't $$ I think there was an
21	assumption that 2021, it would all be back to normal and
22	we were far from that, as we were $$ proved at the time,
23	but as I say when the lockdown took place, there was a
24	drive to get children to produce work. So teachers were
25	setting work for youngsters to do at home, they could

1 bring in and use as evidence, but at that point we

4	didn't know what was going to happen, or now it was
3	going to be used. So it was really : get as much as we

4	possibly can.
5	My worry with all of that was: one, it was a burden
6	on the teachers to try and get all this extra work; but

- it was the poor young people as well, because they were
 getting it from six, seven, eight different teachers for
 different exams all at the same time. And my worry was
- 10 always would have been: those children that would
- 10
 anways
 would have been those children that would

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 have achieved an A grade would probably get through that
- 14 under real pressure to try and get additional work in,
- and they probably would have struggled anyway.
 And I think I have mentioned somewhere else is that
 some of our poor youngsters walked away from it all,
- some of our poor youngsters walked away from it all,under the pressure. If you take a secondary school
- 19 situation, each department is putting pressure on
- 20 youngsters without really making it aware what pressure
- 21 in the whole is happening to those youngsters.
- 22 Q. Thank you. So just taking that in stages as to what you
- 23 said, the SSTA was therefore advocating that there would
- 24 be no exams in April/May 2020, and then you say the
- 25 following year also, but let's just stick with 2020.

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1		You said you made that clear; was that made clear to the
2		Scottish Government?
3	Α.	Yes.
4	Q.	Right, and what was the proposal or alternative that the
5		SSTA was putting forward instead of those $$ if those
6		exams are cancelled, what was the proposal?
7	Α.	We've always maintained that teachers' professional
8		judgment is the most important thing. We made it clear
9		during that process that we needed to rely on the
10		teachers to actually give a fair grading for where the
11		youngsters would be at the end of the year. Bearing in
12		mind that the teachers would have taught those
13		youngsters for best part of a year, and would have been
14		assessing those on a regular basis , I mentioned prelims
15		and coursework, they would have been done as indicators
16		throughout the period, and the marks for that would be
17		available .
18		I have also argued that we assess youngsters from
19		the minute they walk into secondary school at the age of
20		11. We assess them two, three, four times a term in
21		most schools across Scotland. We put grades down and
22		most parents would see these on a regular basis . I
23		argued that we've got this evidence from the first day
24		they walked into secondary school; why are we not using
25		this evidence to support where the youngsters would land

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1	in the summer. What basically we were told was: we
2	couldn't do that, we need to do something different; and
3	the alternative certification model was set up. And we
4	weren't part of that, where $$ we were excluded from
5	that. It was only the EIS that took part on behalf of
6	the teachers, because they didn't want too many people
7	around the table.
8	But the outcome of that was that they wanted
9	evidence to prove the teachers' judgment and that's
10	where, if you like, the change took place because the
11	evidence that people had been collecting, some of that
12	was discarded. So if you could follow the logic of it,
13	people did things that were never going to be used,
14	because nobody knew what was going to happen.
15	So when the alternative ACM came into being,
16	particular evidence was identified , and some schools
17	hadn't done that and would have to change and do that
18	accordingly. It's always the worry that people jump the
19	gun and do things too soon. But our argument was, and
20	probably proved in the end of the day right, that
21	teachers' professional judgment is the best guide for
22	these sort of things, but the SQA and the awarding
23	bodies, evidence is what they rely on, so they would
24	measure what they can measure. Whereas teachers would
25	have a much more rounded picture of a young person, and

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1		probably give a more accurate determination of where
2		they would be.
3	Q.	Thank you. I think you talk in your statement about it
4		being a mad rush, I think is the way you put it, with
5		that material being disregarded, and they talk about a
6		mad rush to get pupils home to submit the most recent
7		work, I think collect evidence of coursework. What was
8		the impact of that mad rush, as you put it, on the
9		teachers themselves?
10	Α.	Well, this was on top of, if you like, trying to deliver
11		education, online teaching as well, because this was an
12		extra demand. As I said, teachers would plan their
13		year's work. They would have particular points in time
14		where evidence would be collected. What happened here
15		was that we had a burden of extra evidence for not only
16		the teachers, but for the young people at a very
17		critical stage.
18		But in some ways, the ACM actually has forced a
19		review of the way we do qualifications here in Scotland,
20		and that review is still $$ you know, the outcome of
21		that is still going on, because what we learnt through
22		the ACM is there are other ways to assess young people,
23		not necessarily just final exams.
24	Q.	Thank you. I want to move on then to the reopening of
25		schools. At paragraph 80 of your statement, you say

1		that the SSTA surveyed its members from various local
2		authorities following the reopening of schools. For the
3		Inquiry's reference, that survey is at
4		SCI-SSTAxx-000006. It's called "SSTA Safety First $$
5		School Return Survey". What did that survey tell you
6		about the confidence of your members in being able to
7		return to reopen schools?
8	Α.	Our members were very worried, you know, prior to the
9		summer term, you know, the summer holidays officially
10		starting , and then worried about what was going to
11		happen when they came back. We were very anxious to
12		actually survey our members prior to them returning to
13		how confident they were, in terms of going back, what
14		safety measures would be in place, because they all know
15		their own workplaces, and they knew what had happened
16		during the partial closures of schools. And we asked
17		them a series of questions asking about: are you
18		prepared to go back $$ when I say "prepared", are you
19		confident that you'll be kept safe when you get back.
20		And there was $$ a majority of people were saying
21		they weren't very sure of what was going to happen. We
22		followed that up again in September to ask how people
23		responded to that, and it had moved slightly, but people
24		were still very concerned about what was going $$ you
25		know, whether their $$ I'm going to use the word

1		carefully , that their safety was being taken seriously.
2	Q.	What did that survey tell you about the consistency
3		between local authorities , in terms of the $$ l suppose
4		either adherence to restrictions , so things like social
5		distancing, or access for teachers to these things they
6		might need, like PPE face coverings?
7	Α.	It was varied right across each of the 32 authorities,
8		because when we asked members about the survey, we asked
9		them which authority they worked in, so we could gauge
10		which authorities were $$ l'm going to say better than
11		others, and some authorities came out quite high up, but
12		others, it was very sparse. You know, any provision of
13		PPE, even adherence to social distancing and other
14		arrangements.
15		But the other problem that we've got in the
16		secondary sector is that some of the things that we
17		would $$ you think from many of our school days, a
18		teacher would have had a classroom. That's not the case
19		in secondary schools $$ in many secondary schools now.
20		Even brand—new schools, teachers are having to share
21		classrooms, so that would have been an issue for
22		teachers going in.
23		Equally, IT equipment would have been shared as
24		well, because each classroom would have a computer to
25		register the children, and if a different teacher came

1		in, say $$ precautions had to be taken. So I think the
2		assumption that a teacher goes in the classroom, close
3		the door and it's their little environment is far from
4		the truth now. So $$ I was just going to say is that
5		what we heard was that, as I say, some authorities were
6		very, very good, tried to put everything in place.
7		Other authorities, it was less so. Also, the number of
8		children that were coming in. In some schools, it was
9		50% of the intake, sometimes a bit smaller, but more and
10		more the schools tried to increase the number, which
11		made, from what we knew at the time, the situation a bit
12		more difficult , and transmitting of COVID was more
13		likely .
14	Q.	Well, given that inconsistency you've talked about, is
15		there anything you would suggest to the Inquiry could be
16		done differently in the event of another similar event
17		like this?
18	Α.	I mentioned earlier about the Workforce Implementation
19		Group, the WIG. That group was set up as soon as
20		lockdown took place. Online meetings took place twice a
21		week, and for me, the important part of that was the
22		people sitting around the table, on the screen, were
23		also in contact with their members, teaching and
24		nonteaching staff, and a lot of $$ we were trying to say
25		very similar messages about how our members were feeling

in schools. If there's one lesson to be learnt is
actually talk to those that represent the people working
on the ground and listen to what's being said, because
we felt we might have been listened to at some of the
meetings, but the local authorities who weren't at the
meetings were putting that to one side: oh, it 's just
teachers whingeing again, or whatever it might be. I
probably shouldn't have said that, "whingeing", but $$
the impression I give you is, but what we should have
had was a consistent policy across all the schools and
all local authorities .
But what we found was COSLA, even though it
represented all the employers, had no power over the
local authorities, and it was left to the local
authority to determine themself what was important and
what wasn't. So if there is a lesson to be learnt, talk
to the people that are closest to the ground, but then
if you agree something, agree it across the board and
implement it across the board, because that was a big
failure as far as I am concerned.
Q. Thank you. Moving on to the Christmas 2020 period, at
paragraph 106 of your statement, you say the big problem
for the SSTA came after Christmas. I think you mean
Christmas 2020. You say the Scottish Government was
prepared to bring pupils back after Christmas. Again,

1		what were the views of your members on that?
2	Α.	It was a combination of things. I think you probably
3		all recall, there was a big drive from Westminster to
4		have everybody celebrate Christmas, after we had been
5		through a whole period of restrictions and so on.
6		Equally, the level of people going down with COVID was
7		increasing towards $$ before Christmas, and then there
8		was the worry about coming back after everybody had been
9		together, bearing in mind what appeared to be a
10		relaxation of the rules over Christmas.
11		And it was quite clear, the number of members that
12		contacted me, because unfortunately I was on the
13		emergency call over Christmas, and I was inundated with
14		members contacting the office, messages saying: I'm
15		frightened, what can I do; I'm worried about my family;
16		I'm worried about this, that and the other.
17		And of course the press was also building things up
18		as well. And I spent, you know, the Christmas break
19		writing to every local authority, to the Deputy First
20		Minister, and putting messages out to members saying we
21		were taking this seriously, and we were trying to put
22		pressure on to actually say: we can't open the schools
23		back in January, we need to be ready and pace ourselves
24		back into it . You can't go from $$ a full
25		implementation just because it happens to be January.

1I think this is part of the problem. A number of2people thought COVID would wear itself out, and of3course medical people in the sciences told us earlier in4the year, it would soften during the summer months, but5it would increase again in the winter months which it6did.

7 So even the advice we were given early on, those 8 that understand this far better than I do, would tell us 9 there would be peaks and troughs during the year, and 10 the wintertime was one of those where it was going to be 11 most difficult . As I said, I was pleased in the end 12 that we were able to delay the return to school, but it 13 would have been a real problem, because some of our 14 members -- teachers are very compliant. They do as they're asked, and if somebody said, "You've got to do 15 16 this", they more often than not would do it. But we 17 were getting to the stage where people were saying: ${\sf I}$ 18 can't go back, I'm worried about myself, I'm worried 19 about my family, and I don't think I' II be able to go back in. And we knew that would be a bigger problem if 20 21 they didn't go in when they got back. 22 So, if you like, the pressure was relieved because 23 everybody -- the government actually relaxed that return

to school, but I think it was naive to think that we
 could all go back after that, without actually staging

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1		ourselves back in. But I think political pressures are
2		political pressures, and unfortunately teachers and
3		schools are stuck in the middle of that sometimes.
4	Q.	At paragraph 107 of your statement, you give the view of
5		the SSTA that, I think, the four national governments
6		should have been issuing united guidance on the
7		reopening of schools. Why does the SSTA hold that view,
8		why would that be advantageous?
9	Α.	I think I have mentioned earlier in my statement $$ is
10		that I'm a bit peculiar, and I have tried to explain
11		that is that I work in Scotland, I live in Northern
12		Ireland, and my children go to school in Northern
13		Ireland . So I was getting $$ because of my position,
14		I was listening every day to all the announcements from
15		each of the $$ not only the Scottish and Northern Irish
16		government, but Westminster government as well.
17		So in some ways I had quite a unique experience
18		because whatever was said in one, it had an influence on
19		me at some point as well. So therefore I was able to
20		listen to what was coming out of the three governments.
21		Likewise being very close to the Republic of Ireland,
22		I was also monitoring what was going on there, and what
23		surprised me was it wasn't consistent. Yet if we were
24		dealing with it across the UK, for example, we should
25		have been all following the same rules. But what we

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1		found is $$ found is not probably the right word but my
2		impression is that there was something going on between
3		the various governments and pressure was being
4		applied $$ for example, if schools were opening in
5		England full—time, the pressure was on: why Scotland not
6		doing the same. But remember in Scotland, we were
7		delaying returning back to schools.
8		So from my experience of watching the whole thing
9		very closely, is that there should have been one message
10		that was coming out on behalf of all the governments to
11		make it clear, because if you wanted consistency and
12		keep everybody safe, which was $$ we should all have
13		been doing exactly the same thing, and that wasn't the
14		case.
15	Q.	Thank you. I said we would come back to
16		disproportionate impacts. The Inquiry is interested in
17		impacts and indeed disproportionate impacts on those
18		during the pandemic. In your statement at paragraph 54,
19		you describe pupils with additional support needs,
20		disabilities and those with English as a second
21		language, and those living in deprived areas, as $$ l
22		think the way you put it is having missed out on their
23		entitlement to education, I think is the way you put it
24		during the pandemic. Could you please elaborate on why
25		you think that was the case?

1	Α.	Well, normally $$ I say, a number of children with ASN
2		needs rely on specialist support, whether it's a teacher
3		or a classroom assistant or whatever it might be, to
4		help them get through, you know, the lessons. That's
5		just, as I say, an example, and it's typical for the
6		other groups as well, is that they rely on that
7		assistance, but they weren't getting that during
8		lockdown or when schools started to reopen.
9		What they were getting is they were put into a class
10		with children from different ages, different abilities ,
11		and they weren't getting that additional help. So
12		therefore they missed out on that. Equally what we
13		found was that youngsters from deprived areas, even
14		though there was a drive, because what we tried to do,
15		as I say as a system, was look after the children that
16		were key worker children, but we were also very much
17		aware of those that were vulnerable in the communities,
18		and we wanted to get them brought in as well as best we
19		could.
20		And what we found is we weren't getting those coming
21		into school either, even though the provision was
22		made $$ set aside for them to come in, is that those
23		children, even though they were identified, encouraged
24		to attend, weren't coming to school. So therefore they
25		were missing out on potentially additional help that we

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1		could have given them. They were probably exactly the
2		same children that weren't joining in online learning
3		either . Therefore $$ because if they didn't have
4		somebody there to support them there directly, then they
5		would get further $$ that's the assumption, is they had
6		the equipment anyway to actually engage.
7		So that whole period, if you like, the disparity
8		between the mainstream and those other children, it
9		widened during that period. That's why I think when we
10		wanted to get back to $$ I won't say normal $$ we were
11		very keen that additional support should come in to
12		support those most vulnerable children, as soon as
13		school started to go back. And I think that was the
14		intention of the Scottish Government. They put money
15		aside for giving additional support, but we didn't see
16		as much of it as we probably would have liked to have
17		seen.
18	Q.	Thank you. Moving on then to hub schools, if I can, at
19		paragraph 35, you say that teachers were not teaching,
20		but rather they were "child minding", and then again at
21		paragraph 41 of your statement, you describe hubs as
22		"really just child—minding facilities".
23		That description that you give, why do you give it,
24		and is that consistent with what the SSTA thought the
25		purpose of these hubs was?

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1	Α.	Well, as I said, the hubs were, you know, for key worker
2		children and those vulnerable children, various groups
3		which you've mentioned. But if you put $$ a teacher in
4		a secondary school teaching English would have children
5		of a similar age all at the same time, and would prepare
6		work for that particular group. During the hubs, the
7		groups would be trying to match as best they could
8		children of a similar age, but that wasn't the case.
9		There was mixed age groups. It could have been a mixed
10		age group of all secondary children in one group, and
11		maybe all primary as well, because they were $$ hubs
12		became centres for not just the secondary school but
13		some of the primary schools as well, and teachers would
14		be asked to support them, and they would, you know, set
15		some work, but bear in mind that some of the youngsters
16		were probably out of their age group. If a primary
17		youngster was in the class and a secondary teacher was
18		teaching them, it may not be the ideal fit .
19		But what teachers were $$ they did the best they
20		could with the youngsters in front of them, but that
21		group could change from day-to-day, so it was very much
22		one-off lessons, so therefore teachers would try and
23		find a piece of work that would accommodate a range of
24		age groups all at the same time. So therefore, it
25		wouldn't have been the normal teaching, whereas the

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	teachers that were teaching online would have been
	teaching their subject to the right age group, whereas
	the hubs, it was like a $$ a holding exercise, and
	that's why I say childminding, because it was just
	keeping them safe and giving them some work to do and
	making sure they got fed at the appropriate point in
	time. And teachers did their best as they could in
	those circumstances.
Q.	Was that satisfactory in your view, then, that approach
	that you've just described?
Α.	Well, it's the only manageable approach. If we want to
	look after key workers, and, you know, vulnerable
	children, then all you can do is your best on that
	circumstance. You know, the group size is probably $$
	because, remember, we were still trying to do social
	distancing as well when these youngsters were in, and
	some teachers would have found that very difficult with
	some children that need to be very close to people. But
	under the circumstances, I think teachers did a
	marvellous job to actually try and look after the
	children as best they possibly could. And I'm being
	honest enough in saying it was childminding, looking
	after children rather than teaching them.
Q.	Thank you. At paragraph 42 of your statement, you say
	that members made the SSTA aware of children who should
	Α.

1		be attending these hubs, but were not. What was the
2		reason or reasons behind that?
3	A.	I think as much as the hubs were available, I think some
4		of the key workers in the first instance were unsure the
5		children would be safe during COVID and therefore even
6		though the facility was available to them, some of them
7		couldn't did not make those arrangements. I also
8		think that some of the youngsters would have realised,
9		you know, the vulnerable youngsters probably thought
10		"well, I'll go there but I'm actually not learning a lot
11		or not doing a lot and I would rather be at home" so
12		they voted with their feet so I think putting hubs in
13		place of places for youngsters to go was the right
14		decision to do but I think the only thing we would
15		probably look at in the future is what would we do if we
16		had the same scenario again and I'm not sure we have got
17		any plans in place for that but it might be a better use
18		of teachers because in some instances would it have been
19		better for teachers to stay at home teaching online and
20		bringing other people to come in and support those
21		youngsters, but that's something for future discussion.
22	Q.	Thank you. I think finally I wanted to touch on
23		transitions briefly. At paragraph 91 of your statement,
24		you say that members told the SSTA that pupils
25		transitioning to secondary from primary school were not
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1		ready for that transition . Can you elaborate on why
2		there was that lack of readiness?
3	Α.	I think I'II take $$ those youngsters that were moving
4		from primary schools would have missed that last part of
5		the year where they prepare themselves to move to
6		secondary schools. Activities that take place in
7		primary schools at the end of the school year,
8		extracurricular journeys away from school, trips, most
9		schools tended to have that at the end $$ during the
10		summer term and part of that is getting them ready to
11		move towards a secondary school. They would also have
12		visited the secondary schools prior to that happening
13		and got a flavour of what was going on and likewise.
14		And that particular period was lost to those youngsters
15		and obviously how many of them were working during
16		COVID, during that period, is debatable as well. But if
17		you like the order and rhythm was broken and what we
18		found is when the youngsters came into secondary school,
19		they didn't all come in at the same time because of the
20		staging process and some of the things that we would
21		normally do in the secondary school to $$ I'm going to
22		put it , I won't say, just to get how things are done,
23		you know, what's expected of them, because going from a
24		primary school environment to a secondary school
25		environment is very different $% \left({{{\mathbf{x}}_{i}}} \right)$ and what we found from our

1	members is that that period of induction, is probably
2	the best way of putting it, was missed so some of the
3	things that we would have expected the secondary school
4	teachers weren't in place partly because of the phased
5	return but equally because the youngsters hadn't been
6	prepared coming from primary school so therefore $$ we
7	asked members about this as well and members were saying
8	to us that they have missed it appeared to be a short
9	number of months but actually it was quite an important
10	part of their learning and maturing going into secondary
11	schools and that was lost so we've got reports from
12	members after that even at the end of the year saying
13	this has been a very difficult year, the youngsters have
14	not been $$ understand how secondary schools work and
15	also teachers were trying to make allowances for
16	youngsters that had missed education and we were all
17	advising members, they're not going to be the same as
18	you have always had in the past, we need to give it more
19	latitude to different ways of behaviour and try and work
20	on that. But we're still seeing some of the examples of
21	that going up through the system now is where youngsters
22	are moving up to their exam years have missed out on so
23	much and it's one of the things that we've argued why we
24	wanted the exams to stay with the ACM model rather than
25	return to the main model is that the youngsters weren't

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1		ready and I think there's an assumption is, if they're
2		in school, they must be ready, but if you miss a big
3		chunk of time, then that would be a real problem. I
4		will go on to say one of the things in hindsight that I
5		wish that we had actually set back the clock and
6		actually made every year go back one and restart again
7		because that's such a valuable time. I think the amount
8		of stuff they have had to pick up as a consequence of
9		running forward is at the advantage of the young people
10		and as I say, I can say that in hindsight but looking
11		back on it, that might have been a better way to prepare
12		the youngsters for the transition , support them for the
13		time they have missed and make them better prepared to
14		move into secondary school and equally up through the
15		exam years as well.
16	Q.	So that's an impact you still feel is being felt?
17	Α.	Oh, yes, very much so.
18	Q.	Thank you. To the extent not covered already, are there
19		any other, whether it's lessons learned or any other
20		particular issues you would like to bring to the
21		attention of the Inquiry before we conclude?
22	Α.	I just think we need to be ready for something like this
23		happening again. If you take for example the reinforced
24		concrete problems that have risen in certain school

25 buildings, there was no plans in place for something

like that to happen and I think it's something -- there bit about the UCU as a trade union, including its aims 1 1 2 will be something again in the future so 1 just think 2 and its membership size and composition, please? 3 there needs to be a strategy in place of what's 3 A. Yes, so the University and College Union, we're a trade 4 important and have measures in place to move on that in 4 union. We're the largest trade union that works in the 5 the future because I hope COVID doesn't come back or 5 post-16 education sector across the UK. In Scotland, 6 some variation of it but I would like to think that 6 our membership is concentrated in the higher education 7 we're actually putting a bit of forward planning in the 7 sector; that's in universities. Our members are 8 eventuality of something like this occurring. 8 organised into branches, branches based around 9 MR STEPHEN: Thank you. My Lord, I don't have any further 9 universities and institutions, so my role involves all of those branches based in Scotland. Should I say a bit 10 10 questions for this witness subject to anything you wish 11 11 to add or to ask? about our membership? THE CHAIR: Nothing to add or ask. Thank you very much, 12 12 Q. Yes, please. 13 Mr Searson. And thank you Mr Stephen. Quarter to 3, 13 A. Yes, so our members are academic and academic-related 14 Mr Stephen. 14 and professional support staff. So academic staff means MR STEPHEN: Yes, my Lord. 15 15 lecturers, professors, researchers; and professional 16 THE CHAIR: Okay. 16 support staff and academic-related staff would be those 17 (2.23 pm) 17 staff supporting academics, such as librarians, 18 (A short break) 18 administrators, IT staff, equality officers, student 19 (2.45 pm) 19 support workers, and so forth in universities. 20 MS VAN DER WESTHUIZEN: Good afternoon, my Lord. 20 Q. What is the approximate size of your current membership? 21 THE CHAIR: Good afternoon, Ms van der Westhuizen. Now, you 21 A. So across the UK, we have got over 120,000 members, and 22 in Scotland, we have around 9,000 members, and that have another witness for us? 22 23 MS VAN DER WESTHUIZEN: I do, yes, my Lord, we have 23 was -- you know, the numbers are similar from the period 24 24 Ms Senior who is the Scotland official of the University of the pandemic. 25 and College Union. 25 Q. Thank you. Despite the name, you say in paragraph 11, 109 111 1 MS MARY JANE SENIOR (called) 1 and you have already indicated that you don't organise 2 THE CHAIR: Very good. Good afternoon, Ms Senior. 2 in further education in Scotland's colleges: is that 3 A. Good afternoon, my Lord. 3 right? 4 THE CHAIR: Ms van der Westhuizen will have some questions A. Yes, that's true. As I say, in England, Wales, and 4 5 for you, when you're ready. 5 Northern Ireland, we do organise in the college sector, 6 Questions by MS VAN DER WESTHUIZEN 6 and we also organise in the prison education sector in 7 MS VAN DER WESTHUIZEN: Ms Senior, please could you confirm 7 England, but in Scotland, just the different set-up; the 8 your full names? 8 EIS organizes college lecturers and UNISON/Unite 9 A. My full name is Mary Jane Senior. 9 organise support staff in colleges. 10 10 Q. You gave a witness statement to the Inquiry. My Lord, Q. Thank you. In normal or non-pandemic times, how does 11 that statement can be found using witness reference 11 UCU liaise with its membership in order to hear and 12 WT0246. Ms Senior, you're employed as a Scotland 12 ascertain their views and their concerns? 13 13 A. Yes. So as a trade union, we're very democratic and we official of UCU, and you have been since 2009. Please 14 could you tell the inquiry what that role $\ensuremath{\mathsf{entails}}$, both 14 have a branch structure, so members can feed views 15 in general terms and also during the pandemic, please? 15 through their branch with elected branch president. 16 A. Yes. So I'm the lead person for the University and 16 secretary, and we have an executive committee in 17 College Union in Scotland, so that means I'm responsible 17 Scotland that meets four or five times a year. We have 18 for representational work, representing individual 18 an annual congress which is policy making. So like all trade unions, we're very democratic in terms of our 19 members, negotiating with employers. Also our policy 19 20 20 and campaigning and organisational work. So that role members have a say in the policies and the actions and 21 continued during the pandemic, and I suppose at that 21 the positions we take on a whole range of issues, and 22 time, it involved a lot of engagement with Scottish 22 that continued to be the case during the pandemic. We 23 Government and with employers on the issues relating to 23 were due to have -- our annual Scotland congress was due 24 24 the pandemic. to be around about late 20s of March 2020. That was 25 25 going to be in person. It was postponed, but we moved Q. Thank you, and could you now, please, tell us a little

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1		to holding meetings and our congresses remotely for the
2		duration of the pandemic.
3		So there was a lot of engagement during the pandemic
4		with our members, so members were very much feeding into
5		the positions that we were taking, and when we responded
6		to Scottish Government consultations, our membership
7		views were reflected in all of the things that we $$ the
8		representations we made to government at that time.
9	Q.	And practically, I think you said it goes through their
10		representatives, so it's not a case of undertaking polls
11		or surveys or anything; it's purely fed through?
12	Α.	It can be both, but for in terms of like congress and
13		regular meetings, yes, it would be through branch
14		representatives , but in $$ you know, we do do polls and
15		surveys of members, and I think we refer to one in our
16		statement, because in July 2021, we did do a survey of
17		members on their experiences to date of the pandemic,
18		and to really double—check what we were requesting of
19		government sort of moving into the academic year, which
20		would have been from September 2021.
21		So $$ yes, so I think that poll in , as I say, it's
22		in our evidence, was really important, because I think
23		it reinforced that $$ our messaging and our policy
24		positions were well reflected from our membership, and
25		it helped moving forward.

1	Q.	Thank you. You set out in paragraph 12 of your witness
2		statement that:
3		"The overriding issue for UCU Scotland and its
4		members during the pandemic was safety, which
5		underpinned all aspects of our work."
6		When you say "safety" there, do you mean safety in
7		the sense of being safe from the risk of COVID, or
8		something else?
9	Α.	Yes, I mean, the safety and wellbeing of our members who
10		were the staff in university, but also students too.
11		You know, I think it was a time when we saw the virus
12		was killing thousands of people, you know, thousands of
13		people in Scotland, the UK and across the world were
14		becoming unwell and dying. So there was this great
15		unknown. So as a trade union, keeping our members safe
16		is, you know, a first priority , and, you know, I think
17		when the pandemic hit, you know, it was unknown how it
18		was initially spreading. We didn't fully understand
19		mitigations, there was no vaccines. It wasn't clear
20		what was helping people to recover, who did recover from
21		the virus.
22		So, you know, it was an incredibly frightening time.
23		You know, universities are places where people work
24		closely together, students come from across the world,
25		across Scotland to get together. So there was a real

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1	fear that the virus could spread exponentially in a
2	university environment, so the need to keep people safe
3	was absolutely fundamental for us.
4	Q. Thank you, and then in terms of your key objectives
5	guiding UCU Scotland's work, you say in paragraph 13,
6	you set out the four key objectives that guided UCU's
7	work during the pandemic. They were:
8	"Safety first : prioritising the safety and wellbeing
9	of students and workers."
10	Two:
11	"Protecting jobs, terms and conditions."
12	Three:
13	"Supporting and protecting those most vulnerable"
14	Four:
15	" Prioritising learning and learners."
16	You say that the safety first approach underpinned
17	all your work and policies. Did UCU at any time
18	consider that these key objectives , any of them might be
19	in conflict with each other?
20	A. I mean, it was an incredibly challenging time, so
21	I think $$ you know, yes, there were tensions there.
22	I think for us it was clearly very important that we
23	kept people safe and well, and people weren't exposed to
24	the virus, and clearly the lockdowns were designed to do
25	that.

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1	You'll see that our second priority was around the
2	impact this was having on jobs, terms and conditions.
3	And I think we were very aware that the lockdown, and
4	where a lot of university activities were restricted ,
5	was creating this threat.
6	UCU, at UK level, we commissioned London Economics
7	to do a survey of the financial impact that the pandemic
8	was having, and it was phenomenal. And this was, I
9	suppose, the risk that $$ universities rely to a great
10	extent on international student tuition fee income, and
11	there was a real fear that by moving online, this fee
12	income would be in jeopardy; the commercial activities
13	of universities in terms of their residences, cafes and
14	so forth on campus, the accommodation.
15	So there was a real risk that this would $$ this
16	financial potential catastrophe would threaten jobs and
17	livelihoods , so I guess there was that tension there,
18	and, you know, for us it was looking to government,
19	especially UK Government, because I guess we were aware
20	that the UK Government had greater borrowing powers to
21	come in with a rescue package for universities . And,
22	you know, clearly we also lobbied the Scottish
23	Government on that and, you know, to a certain extent,
24	they were able to provide some financial support to
25	universities at this time, you know.

1		But as I say, I think the safety, you know, ensuring	1	
2		people were $$ people's lives were safe was absolutely	2	
3		the priority but, yes, as you say, there were tensions	3	
4		between those aims.	4	
5	Q.	Is there sort of a hierarchy, would that have been at	5	
6		the top then?	6	
7	Α.	Yes, and you'll see that, as we say, we were unashamedly	7	
8		safety first ; that, you know, clearly there's no point	8	
9		in prioritising jobs if people are dying. We absolutely	9	
10		need to protect life and limb.	10	
11	Q.	For example, we have heard some evidence in relation to,	11	
12		for example, impacts on students, including things such	12	
13		as digital poverty and impacts or disproportionate	13	
14		impacts on certain students, more vulnerable students,	14	
15		for example, with additional support needs, or students	15	
16		maybe from lower socioeconomic situations. So how did	16	
17		UCU reconcile those $$	17	
18	Α.	One of our priorities is really supporting and	18	
19		protecting those most vulnerable to COVID -19 , and I	19	
20		think $$ there's a lot of people. We're aware that the	20	
21		virus impacted on some people and some people were very	21	
22		vulnerable to it than others. Black, Asian, minority	22	
23		ethnic communities were getting the virus and dying at	23	
24		higher rates than white communities, so clearly it was	24	
25		vital that we equality impact assessed everything we	25	

1	did, and we kept those people safe.
2	Older people, disabled people were more at risk from
3	becoming more unwell or dying from the virus, so for us
4	it was essential that they were supported. And, you
5	know, you didn't just have to be one of those people;
6	you could have been a carer or a partner or a child or
7	whatever in your household. So, you know, this was a
8	really complex situation, and it was absolutely critical
9	that, you know, everyone was supported. And you
10	mentioned digital poverty, and we absolutely supported
11	greater resource being there to ensure that everyone
12	could have, you know, access online, you know, laptops
13	and facilities .
14	But, you know, inevitably it was incredibly
15	challenging, you know, for everyone, you know, even, you
16	know, you might be in a relatively well—off household,
17	but during lockdown you might have been trying to
18	home—school your children, do your day job if you were a
19	lecturer and $$ yeah, it was an incredibly difficult
20	period for everyone.
21	Q. You say in, I think, paragraph 57 that UCU was
22	supportive of the Scottish Government's four harms
23	approach, I suppose what you were doing there with your
24	priorities is not too dissimilar . What $$ you were

25 supportive of it, would you care to elaborate on it, how

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1		supportive? Would you have recommended a similar
2		hierarchy of harms in the Scottish Government's exercise
3		of the balancing of harms?
4	Α.	Yes, I think so, and I guess you'll see that from our
5		objectives , I guess we had a hierarchy to a certain
6		extent, and, you know, I think it was absolutely
7		critical that we recognised the tremendous impact this
8		was having on people's lives, so, you know, I think it
9		was a useful way of, you know, measuring impact and
10		trying to prioritise in what was just an incredibly
11		challenging period.
12	Q.	In paragraphs 14 to 17, you discuss the steps taken by
13		UCU to advocate the closure of university campuses, and
14		in paragraph 14, you set out that on 17 March 2020,
15		there were concerns about the spread of COVID. And you
16		wrote, or UCU wrote to Richard Lochhead, who was the
17		then minister of further and higher education, urging
18		the Scottish Government to close functions of
19		universities that could be closed.
20		What was it that prompted UCU to do this at the
21		time? In other words, was it information from the
22		Scottish Government, or was it media reports of the
23		virus spread, or what was it that prompted that step to
24		be taken?
25	Α.	Do you know, I think it was like everything that was

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1	happening at the time, because we were very aware of the
2	pandemic spreading, certainly in Italy, in other places
3	in the world $$ yes. It was becoming an incredibly
4	worrying situation . We had been advising our members
5	and $$ around self isolation with no detriment to ensure
6	that people weren't penalised if they were unwell at
7	that time. But it was very clear this was becoming a
8	massive phenomenon, and so at a UK level, our general
9	secretary had written to the UK Government and
10	employers, and we wrote to the Scottish Government,
11	recognising that it wasn't possible for universities to
12	close completely, particularly where they had student
13	residences, and for many students, their university
14	accommodation was their home, so it would be impossible
15	to close everything down completely.
16	There were also medical research facilities ,
17	veterinary schools and so forth that couldn't be closed.
18	But it was possible to do lots of things remotely in
19	terms of online classes, and shifting tutorials and that
20	sort of engagement online. So it was becoming clear
21	that, you know $$ as I say, I think universities,
22	because staff come from a wide $$ you know, a wide
23	geographical area and students do, and I think this
24	became more apparent throughout the pandemic. You know,
25	people from, you know, across the UK and even further

1		afield were coming to mix in close proximity on a
2		university campus, and so it was really crucial that you
3		did as much as possible remotely when the pandemic was
4		so live.
5	Q.	You mentioned that you advised your members on certain
6		things. What was the nature of the anxiety? Were they
7		feeding their anxieties to you as well at that stage?
8	Α.	Yes, no, they absolutely were and being really concerned
9		about gathering in large numbers on campus, so trying
10		to, you know, to minimise that, to minimise the use of
11		public transport, and to keep people safe, and that
12		safety first approach that we advocated throughout.
13	Q.	You go on then to explain that the Scottish Government
14		responded to UCU, advising that it had set up the
15		Advanced Learning Ministerial Leadership Group. Was UCU
16		part of that group at all?
17	Α.	Yes, so we were represented on that group along with
18		other campus unions, the funding council, employers,
19		I mean, key stakeholders, and it was chaired by the
20		minister, and it met every couple of weeks. At times
21		when the virus was more significant or uncertain, we
22		maybe met more frequently, and it was a really good way
23		of the stakeholders getting together, and discussing
24		what was happening, and, you know, to be able to be
10.015		

25 taking decisions and advising on guidance for the

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1		sector. The National Union of Students were also
2		involved. So, yes, it was $$ it was a good approach.
3		We also heard from $$ the government set up an
4		Expert Advisory Group who were also represented on the
5		ministerial leadership group, and later in the pandemic,
6		it became the COVID Recovery Group. So, yes, I would
7		say it was a really useful forum for $$ and for us to
8		hear and for them to hear the concerns of our members,
9		so yes.
10	Q.	Thank you. If we can turn now to have a discussion
11		about remote learning and teaching, and initially the
12		shift to online delivery and challenges for staff.
13		You state at paragraph 18 of your witness statement
14		that both staff and students reported issues when
15		working from home. Could you please expand on this,
16		first in relation to staff, what sorts of issues were
17		they reporting?
18	Α.	Yes, I guess I touched on this a bit $% \mathcal{A}$ earlier , so $$ you
19		know, I think it really depended upon your personal
20		circumstances, and this was a time when schools were
21		closed too, so you would have, you know, generations all
22		competing for broadband width, space in your house. You
23		know, if you had young children and you were also trying
24		to deliver a lecture or support students, it was
0.5		

25 particularly challenging. You know, very aware, like

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1		early careers members who might have also been sharing
2		accommodation, if you were at the start of your career,
3		you would be in a shared flat, so very limited space as
4		well as broadband. So these things were, you know,
5		challenging for $$ you know, for everyone, and our
6		members reported really, you know, increasing $$
7		increasing workloads at that time too.
8	Q.	And the workload there, was that because they were
9		having to deliver something different to what they would
10		normally deliver in person, or was that to do with their
11		caring responsibilities , or a bit of both?
12	Α.	Everything, yes. I think absolutely everything.
13		I think $$ yes, I suppose if I can $$ our survey in 2021
14		really showed the exponential increase in workload that
15		our members experienced, and, you know, moving to
16		working online, particularly in a university setting is
17		so different . You know, people were having $back-to-back$
18		lectures, meetings, tutorials. You know, in some ways
19		being able to deliver remotely could have been an
20		advantage for students that $$ maybe students who
21		weren't so confident to ask a question in a big lecture
22		theater, putting it in the chat or asking a question
23		remotely was potentially easier . But if you're the
24		lecturer monitoring hands, chat, then moving to the next
25		class, and, you know, you're not walking between room

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1		meetings, you're just clicking a mouse to move between
2		meetings, and, you know, I think faced with the issues
3		and concerns that students were presenting because, you
4		know, they were tremendous and wide—ranging. We've seen
5		the sort of challenging mental health and wellbeing
6		issues that students and staff had, so, you know,
7		I think the workloads increased so considerably. Our
8		survey showed they increased particularly for our
9		members that delivered teaching, and teaching and
10		research staff, so, yes, it was an incredibly difficult
11		time.
12	Q.	Do you know what support, if any, was provided to staff
13		to help them transition to virtual platforms and
14		implement online teaching, either by the universities or
15		by the union?
16	Α.	Yes, I mean, I think staff did feel supported. One of
17		the things I would say, in July 2021 when we asked our
18		members how supported they felt from employers, 68% of
19		our members responded, and it was a good sample of
20		members, said they felt either somewhat supported or
21		very supported, and they felt supported with homeworking
22		from the employers, which we felt was a good thing.
23		I think that's not to say that it wasn't challenging,
24		and those challenges in terms of, you know, the
25		boundaries between caring responsibilities , home life

November 18, 2024

Day 63

1		and work just got tremendously blurred. It was a really
2		difficult period.
3	Q.	If you could possibly just comment then, because you say
4		that both staff and students reported issues with
5		working from home. Just turn to expand upon the issues
6		that the students were reporting, what sort of issues
7		did they have?
8	Α.	Issues around digital poverty and access to devices, to
9		engage on. You know, I know support did come in fairly
10		quickly from the Scottish Government and the Scottish
11		Funding Council but also, you know, space, accessing
12		wi—fi and broadband, yes, it was a really difficult
13		time.
14	Q.	Just in terms of workload and stress, I take it from
15		your previous answer that your members were delivering
16		online lessons, they weren't accustomed to teaching that
17		way; was that entirely new to them or were some of them
18		more familiar with it than others?
19	Α.	Yes, some would have been more familiar. Do you know,
20		it was an interesting issue for us as a trade union,
21		because I guess recorded lectures was an issue that was
22		gradually coming in, and, yes, there were lots of issues
23		in relation to performance right, copyright and all of
24		those things. And, you know, we had negotiated with a
25		number of employers around different policies, but the
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		125
1		125 pandemic hit, and then we just had to shift wholesale
2		pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but
2 3		pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but to do it in such a focused and, you know, in a very
2 3 4		pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but to do it in such a focused and, you know, in a very stressful way, you know, it was — you know, it wasn't
2 3 4 5		pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but to do it in such a focused and, you know, in a very stressful way, you know, it was — you know, it wasn't without its challenges, shall I say.
2 3 4 5 6	Q.	pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but to do it in such a focused and, you know, in a very stressful way, you know, it was — you know, it wasn't without its challenges, shall I say. Just how did this essentially new way or mode of
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2 3 4 5 6 7 8	Α.	pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but to do it in such a focused and, you know, in a very stressful way, you know, it was $$ you know, it wasn't without its challenges, shall I say. Just how did this essentially new way or mode of delivery of education impact on them? Yes $$
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2 3 4 5 6 7 8 9 10	A. Q.	pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but to do it in such a focused and, you know, in a very stressful way, you know, it was — you know, it wasn't without its challenges, shall I say. Just how did this essentially new way or mode of delivery of education impact on them? Yes — On their workload in particular? Yes, well, it brings additional pressures. I think I
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. Q. A.	pandemic hit, and then we just had to shift wholesale online. So there would have been some familiarity, but to do it in such a focused and, you know, in a very stressful way, you know, it was — you know, it wasn't without its challenges, shall I say. Just how did this essentially new way or mode of delivery of education impact on them? Yes — On their workload in particular? Yes, well, it brings additional pressures. I think I sort of, you know, said some of that about in terms of timing, the back—to—back nature of the demands that were placed upon them. There would also have been a lot of engagement with students, students requesting one to ones, and the additional support that students were demanding, so, yes, an incredibly stressful time for our members. And again, just in relation to student stress and workload issues, do you have any information about that? You've mentioned digital poverty and sort of the stress of the circumstances, but in terms of the actual workload on students, did you have any information about

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1 the pandemic, it was clearly a stressful time for 2 students, and we have seen an increase in demands around 3 mental health and wellbeing services that students are 4 needing. 5 Q. And just in relation to the additional caring 6 responsibilities , were the children of your members who 7 were teaching in universities provided with hub school 8 places for their children in either the first or the 9 second lockdown? 10 A. No, I mean, university staff weren't considered to be 11 key workers in that way, so, you know, unless there were 12 extreme or special circumstances, no, our members 13 wouldn't have accessed, you know, school hubs at that 14 time. I don't think that was an issue that we pushed, 15 because I think we recognised that, you know, people 16 working in the frontline, healthcare workers, you know, 17 I think it was more apparent that -- who the key workers 18 were at that time, and as a trade union, we certainly 19 weren't pushing that our members were key workers in 20 that sense because it was possible to deliver remotely. 21 Q. Did UCU raise any concerns about staff or members having 22 to balance teaching, research and caring 23 responsibilities from home with anyone? 24 A. Yes, I mean we were very aware of the, you know, 25 increased -- well, juggling so many demands, you know, 127 1

and I think we saw the Times Higher Education, a leading 2 publication in our sector, has covered numerous reports 3 that has looked at career trajectories , and researchers 4 are noting that parenthood, those with caring 5 responsibilities , whether it was for school-age children 6 or older dependants, there was a real impact upon their 7 research work during that time, with particularly women 8 who tend to bear the brunt of caring responsibilities . 9 The number of publications, research publications by 10 women at that time reportedly declined, because of having to juggle other responsibilities , and that then 11 12 clearly had an impact on career trajectories of parents. 13 Q. Thank you. You've touched on it already, so we won't 14 take too long, but on digital inclusion, you mention at 15 paragraph 18, impacts related to what we're terming 16 digital inclusion; in other words, that some staff were 17 competing with others within their home for broadband. 18 In terms of devices, to what extent was the lack of 19 devices amongst your members an issue, and if so, what 20 steps were taken by their employers to alleviate that? 21 A. Yes, do you know, that wasn't an issue for our members 22 generally, you know. They would have had laptops, and 23 universities were supportive in terms of providing 24 additional equipment, whether that might have been 25 screens --- and I know some of our members who have a

1		disability , the employer was able to courier equipment
2		
		to their home. So employers were supportive, and I
3		think referring to our survey, you know, we asked
4		members how supportive were employers, and it was on
5		homeworking that they felt supported by their employers.
6	Q.	And you've touched already on broadband and the issue of
7		broadband; to what extent was the reason for lack of $$
8		or to what extent was a lack of broadband an issue for
9		members and where it was an issue, was that to do with
10		location, or was it to do with affordability or what
11		were the issues in relation to broadband raised?
12	Α.	I think it would be coverage, and I think at the time
13		recalling , you know, we were all on meetings where
14		people would lose reception, whatever, but it might have
15		also been, particularly at the time during the lockdown,
16		you know, if you had $$ you know, your children were
17		trying to be online engaging with their schoolwork or,
18		you know, two parents at home, you know, it was $$ it
19		was challenging to get enough broadband width for
20		everyone to be able to deliver what they needed to do at
21		that time.
22	Q.	Just around the time of lockdown when everyone was
23		having to work from home and off devices, what concerns,
24		if any, did your members raise in relation to or were
25		you aware of in relation to students' digital inclusion?
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1	Α.	Yes, you know, I guess what I have said already in terms
2		of digital poverty, access to wi-fi and broadband, yeah,
3		we know it was challenging for students.
4	Q.	If we could then turn to impacts on particular cohorts
5		of staff, the Inquiry is very interested in hearing in
6		particular about disproportionate impacts. In paragraph
7		20, you say that all representations made by UCU to the
8		Scottish Government highlighted concerns about the most
9		vulnerable.
10	Α.	Yes.
11	Q.	Sorry, I was just going to say, was that representations
12		about vulnerable staff or students or both?
13	Α.	Both staff and students, so, you know, as I said before,
14		it was a safety first approach, and when people were
15		gradually returning to campus, I mean, there was a point
16		where, as I say, not everyone had had a vaccine, the
17		virus was still spreading, people were still dying. So
18		for us it was really important that people who were more
19		vulnerable to COVID were kept safe, whether that was
20		them as a staff member or a student, or if you as a
21		staff member had a partner at home or a carer or a child
22		at home, you know, for us, you know, it was $$ that's
23		why the mitigations, keeping people safe, was so
24		important.
25	Q.	And was UCU hearing concerns directly from those who

25 $\,$ $\,$ Q. And was UCU hearing concerns directly from those who $\,$

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	1		were considered to be more susceptible to $COVID{-19}$ about
	2		their level of risk or safety in the workplace?
	3	Α.	Yes, absolutely. I mean, it was a time when many people
	4		might have been shielding, or you might have had a
	5		member of your household who was shielding, so, you
	6		know, it was $$ it was really important to us that
	7		people weren't put at risk of, you know, dying from the
	8		virus unnecessarily, or, I mean, I think we were also
	9		very much aware later on in terms of long COVID, and the
1	0		really debilitating impact that long COVID was having on
1	1		people, so again, for us, you know, minimising any risk
1	2		of exposure to the virus was really crucial.
1	3	Q.	You've mentioned already those in early career roles.
1	4		At paragraph 21, you refer to women and Black, Asian,
1	5		and minority ethnic workers in early career roles or
1	6		non-promoted positions.
1	7		When you say "early career roles", what sort of
1	8		roles are you thinking about in the context of
1	9		universities ?
2	0	Α.	So they might be postgraduate researchers, tutors, so
2	1		people at the early stage of their career, you know.
2	2		They may be new lecturers, and I think as $$
2	3		particularly sort of later in the pandemic, as we were
2	4		gradually opening up, it was, you know, we were aware
2	5		that people that might have been more established,
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1	professors who did less teaching, had more flexibility
2	to continue to work from home, whereas people who may
3	need to deliver tutorials or undergraduate lectures,
4	there was more pressure on them to return to campus
5	and $$ yes. So just aware that there's more BAME people
6	in those roles, and we were also aware from the
7	statistics of people who were dying or getting the virus
8	BAME groups were overrepresented in those roles. So
9	again, just trying to ensure that people weren't
10	unnecessarily exposed and vulnerable to the virus or
11	taking it back to their households was really crucial to
12	us.
13	Q. Thank you. And if we could turn now to impacts on
14	particular cohorts of students, you refer in paragraph
15	25 to student support and progression, to student
16	support and progression being:
17	" crucial issues during the pandemic where
18	disruption to studies, to practical work and placements
19	and to exams and assessments had the potential to create
20	problems for students and their ability to progress to
21	the next stages of their learning or career "
22	What were the implications of the shift to virtual
23	platforms for specifically the delivery of practical
24	lab—based or placement—based subjects, which I think you
25	discuss at paragraph 25, and in particular, what were

1		you members telling you about this?
2	Α.	I guess it just made it more challenging to ensure that,
3		you know, people were gaining the skills to progress,
4		but I would say that I think our members and the
5		employers worked together really effectively to be as
6		creative as possible to ensure that standards were met,
7		and that students could progress. Because I think we
8		knew that students were getting a very different
9		learning experience to the one that students had
10		received at university up to that point, but we didn't
11		want them to, like, lose time and to be held back.
12		So the sector generally worked incredibly hard and
13		effectively with all the key stakeholders. You know, I
14		said there that there was a subgroup of our COVID
15		Recovery Group, which specifically looked at the COVID
16		learner journey, which was designed to ensure that there
17		weren't any blockages, that students were able to
18		progress, and that $$ you know, we were part of that
19		group along with the NUS, with employers, and that
20		generally did work, and it was only in a very few
21		disciplines , dentistry being the one that I'm aware of,
22		and we know, we have members that deliver that $$
23		lecture in that discipline, and students in dentistry
24		just weren't able to progress to the next year.
25		So the Scottish Government provided additional
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1		funding so that those students in effect were repeating
2		a year, because I suppose the procedures, and it related
3		to the aerosol techniques that they needed to do. They
4		weren't able to get that in-person experience, and so,
5		you know, they were sort of held back a year and $$ yes,
6		had to $$ those students ended up doing extra $$
7		different cohorts of them ended up having to do extra
8		years, and the funding was provided to support that.
9	Q.	Thank you. We have heard from other witnesses about
10		placement—based learning in particular having stopped,
11		but we would be interested to hear from the union on
12		what your understanding was of the impact on learners.
13		You've obviously mentioned dentistry, but were there any
14		other delays in graduating, or anything in relation to
15		the diminished learning experience that was being
16		reported by your members?
17	Α.	I think as I have said, our members and the sector
18		worked really hard to ensure that students met standards
19		and were able to progress and to use, you know, creative
20		ways to do so; I think that's what I would say.
21	Q.	Were there any difficulties for staff or your members in
22		terms of being able to deliver practical courses, you
23		know, what steps did they take to accommodate that?
24	Α.	Yes, so lots of things just shifted online, done

25 virtually , or, you know, had to be delayed to a sort of

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1		later part of the course where the pandemic was, you
2		know $$ where it was safer, and use different
3		mitigations. So that's what's happened.
4	Q.	Thank you. And in terms of the impact on assessments,
5		we have heard a little bit about that. What do you
6		understand the position to have been in relation to
7		assessments, and the extent to which they were conducted
8		in a different way?
9	Α.	Yes, so I suppose many assessments were able to be done
10		remotely, or we were able to use work that had been done
11		pre $$ you know, learning that had already been done and
12		had been assessed, so, yes, as I say, I think the sector
13		worked really creatively to enable students to progress
14		and to assess learning that had been done so that
15		students could progress.
16	Q.	And just $$ you've mentioned dentistry in the context of
17		progression. We have heard it from a number of sources.
18		Do you have any inkling as to why that was the only
19		impact $$ why it was only dentistry that was impacted in
20		terms of progression, rather than other professions
21		where $placement-based$ learning is essential for $$
22	Α.	Well, I'm told it's because of the aerosol techniques
23		that students would need to have experience of, and
24		they, you know, weren't able to do this. I guess we all
25		remember, we couldn't go to our dentist, so, you know,
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1		students were unable to do the placements in the same
2		way so, yes, they couldn't progress.
3	Q.	Thank you. If we could turn on now to consider the
4		communication of impacts to the Scottish Government by
5		UCU. We have already discussed at paragraphs 12 to 13,
6		UCU, you say that you took an unashamedly safety first
7		approach throughout the pandemic with safety and
8		wellbeing as overriding priorities .
9		How did UCU Scotland communicate the need for a
10		safety first approach to the Scottish Government during
11		the pandemic?
12	Α.	So I have mentioned before, we had the ministerial
13		leadership group, which became the COVID Recovery Group.
14		There were a number of subgroups. So we attended these.
15		Initially they were by phone conference; they then were
16		on Teams. So, you know, we were able to ask questions,
17		make representations at those meetings. The Scottish
18		Government consulted, you know, on a lot of documents
19		and a lot of guidance, so when we would have been giving
20		our views, some of those would have been in meetings,
21		some of those would have been by email. You know, we
22		also wrote to the Scottish Government and, you know,
23		I think we've made all of our communications available
24		to the Inquiry, you know, if you want to see them.
25		So there was a lot of engagement, and I think we

1		became more effective, or the Scottish Government became
2		more effective and efficient in that as the pandemic
3		progressed, but, yes, we definitely had the opportunity
4		to, you know, comment and put in our positions.
5	Q.	If we could now turn to something that you have
6		mentioned already, and it was the concerns about funding
7		for universities , and you discuss this at paragraphs 45
8		to 46. You've already touched on this earlier on in
9		your evidence, in relation to the sort of balancing of
10		harms or the prioritisation of the key priorities .
11		Could you please just explain the funding challenges and
12		concerns about retention of staff that UCU helped?
13	Α.	Yes, I think this is really important, because a lot of
14		staff in the university sector are on precarious
15		contracts, whether this is fixed term contracts that are
16		related to research grants; there's also a lot of staff
17		on fixed term contracts or hourly paid contracts related
18		to teaching.
19		So in terms of the fixed term research funding,
20		I mean, we were really worried that when lockdown
21		happened, that the staff couldn't continue with their
22		research. Some could but not all could, and the grant
23		was for a certain period $$ you know, fixed period of
24		time. So what was going to happen, were these people
25		going to be laid off? It was a deeply worrying time,

1		and for staff that were on guaranteed hours, contracts,
2		or, you know, fixed term related to teaching, again, it
3		was really worrying if they weren't able to do the
4		teaching or the tutorials , and what would happen there.
5		So when $$ March 2020, we were incredibly worried
6		about the situation, you know, the jobs for staff and we
7		also wanted to keep these people safe so, yes, and I
8		think, you know, as the statement refers to, the London
9		Economics report that we did, Universities Scotland and
10		the Scottish Funding Council had also undertaken some
11		research, and they were raising similar concerns really
12		about the vulnerability of the sector.
13		I guess what happened is that fairly quickly,
14		I think in May 2020, the Scottish Government were able
15		to give some additional funding to the sector in
16		Scotland, and we were very pleased, because the Scottish
17		Funding Council, when it allocated the funding, it was
18		$\pounds75$ million for research, and it was specifically to
19		support PhD students and early careers research staff.
20		So we really welcomed their focus on early careers and
21		$PhD\xspace$ students, because these were the people that we were
22		really worried that they were just going to be let go,
23		or you would lose their experience and expertise from
24		the sector, so that was really important.
25	0	And just in terms of communication with the Scottich

25 Q. And just in terms of communication with the Scottish

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1		Government, how was that $$ those funding challenges and
2		concerns communicated, was that through a group or was
3		that through correspondence?
4	Α.	Yes, I think it would have been both, you know, we $$
5		yes, we were sharing these messages, you know, we were
6		meeting regularly. The minister would also meet from
7		time to time with the campus unions, and we had the
8		opportunity to raise these points with him.
9	Q.	Looking back now, does the UCU consider the Scottish
10		Government's funding support to have been sufficient to
11		address the financial pressures and protect jobs?
12	Α.	It was really important $$ you know, I guess you're
13		asking me as a trade unionist, and, you know, I think
14		for a while we have had concerns about the underfunding
15		of teaching $$ you know, the sector has got funding
16		challenges. So, you know, if you're saying would I have
17		wanted more, yes, I would have wanted more. You know,
18		I think it was important at the time, and it was really
19		crucial that they targeted it at PhD students and early
20		careers research staff. That was very important.
21	Q.	Okay. In paragraph 30 you say:
22		"Throughout the pandemic there was a lot of
23		communication and engagement between stakeholders"
24		And that UCU put in numerous responses and
25		submissions to the Scottish Government.

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1	Do you have any examples, or can you describe any
2	instances where UCU Scotland's views and recommendations
3	differed from those of employers or other stakeholders
4	in discussions with the Scottish Government?
5	A. Yes, so I suppose there's a few times. So over the
6	summer of 2020, getting ready for the new academic year,
7	we had a safety first approach, and we were advocating
8	that it should be default remote working and learning,
9	so that meant that where it was possible to deliver
10	activity remotely, that's the way it should happen, and
11	I think we were deeply concerned then that $$ well, we
12	had seen various iterations of the guidance. Then when
13	it was published around about 1 September that default
14	remote learning had disappeared, which was, you know,
15	really worrying to us and $$ you know, and I think how
16	things played out at the start of the academic year into
17	September, you know, it wasn't a happy time because, you
18	know, we did see $$ we did see the virus experienced by
19	lots of students. We then saw students that had to
20	${\sf self-isolate}$ in multiple occupancy student accommodation
21	which was incredibly difficult , so you had students that
22	were unwell. There were all lots of students in one
23	student flat, for example, sharing bathrooms and
24	kitchens. It was a really challenging time.
25	And for me, I think this underlined why our safety

1	first approach was important because $$ you know,
2	because the result in September 2020 was, you know,
3	students being told to stay at home, the virus
4	spreading, and, you know, students didn't have the
5	support that they might have done if there hadn't been
6	this rush back to campuses and to $$ students in student
7	accommodation which was often cramped and uncomfortable
8	and being unwell from the pandemic.
9	So, you know, I think that was $$ that was a really
10	difficult time. I guess $$ I mean, in 2021, again, I
11	suppose we had various different $$ we had the delta
12	version of the pandemic, and it was incredibly
13	difficult , and I guess there was pressure on the
14	government from the university employers to open up,
15	but, you know, I think it was clear that it was really
16	important that we had mitigations in place.
17	So, you know, we were always advocating safety first
18	to ensure that we got good ventilation, that we had face
19	coverings, that we had 2-metre social distancing,
20	because if you were operating safe $$ spaces more
21	safely, it was more likely that you could have reduced,
22	you know, reduced occupancy, and things would be better,
23	and you could then open up more slowly and gradually
24	successfully .
25	And I think we felt concerned when employers were

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1		wanting to reduce the restrictions , because this was
2		going to $$ this wasn't going to end up in $$ it wasn't
3		going to be a good outcome, because it was going to mean
4		that you would have an environment where the virus was
5		going to spread, so that was incredibly difficult .
6	Q.	What were some of the key areas of disagreement or
7		tension between UCU and the Scottish Government, and how
8		were those navigated?
9	Α.	Yes, do you know, I'm not $$ I feel like the Scottish
10		Government was sort of more a sort of arbitrator between
11		us and employers who were wanting to open up more
12		quickly, and I think we knew, you know, universities
13		wanted to get people back on campus, because I guess
14		they wanted to create that campus environment, that they
15		could be more confident that international students
16		would come and international students have $$ you know,
17		they bring with them their tuition fees, and if people
18		are on campus, they're using the amenities, they're
19		going into the university cafes and shops and so forth.
20		So I think we understood that, but we were very
21		clear that we wanted spaces to be safe for everyone.
22		You know, people weren't going to have a choice whether
23		they were delivering a lecture or not, so if they could
24		deliver it remotely, it was safer for everyone, and we
25		wanted to ensure that there was good ventilation, people

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1		were wearing face coverings where they could, and there
2		was social distancing $$ yes, and a reduced occupancy.
3		So I suppose one of the tensions was when the First
4		Minister said 5% of students on campus, and we wanted to
5		be counting people that were in libraries and study
6		spaces in that 5%, because it felt like a very arbitrary
7		number, so it didn't feel that it was taking into
8		account the environment on campus. So, you know, if you
9		were in a modern lecture theatre which had good
10		ventilation and you could reduce the capacity, that felt
11		better than if you were in a really cramped classroom
12		and you were cramming more people in.
13		So I think sometimes it felt like arbitrary in terms
14		of how the rules were being stretched or flexed for us,
15		and as I say, our priority was keeping people as safe as
16		possible, and limiting the number. So doing lectures
17		remotely, but maybe having a tutorial of 20 people in a
18		big lecture space, so that they could feel $$ people
19		could feel more safe, because all of the evidence that
20		we were getting from SAGE or our Expert Advisory Group
21		was really stressing ventilation and limiting
22		transmission, you know, by face coverings and so forth
23		was the way to keep people safer for longer.
24	Q.	It's maybe an unfair question, but how effective does
25		UCU consider the Scottish Government stakeholder

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1		engagement to have been, in terms of incorporating
2		diverse perspectives in relation to impacts and
3		responding to the needs of the sector?
4	٨	Do you mean how
		,
5	Q.	The whole engagement, you've described different methods
6		of engaging, but how the whole $$ taken as a whole, how
7		effective was that as a means of making sure all voices
8		and all concerns were taken on board?
9	Α.	I think having the ministerial leadership group and the
10		COVID Recovery Group was that we were all round the
11		table. I know certainly my colleagues from the union in
12		England, they didn't have, like , the same opportunities
13		that we were having in Scotland, which we felt was a
14		positive; and, you know, hearing from, you know, the
15		experts and being able to, you know, put our points
16		direct to government, I think was really important.
17		So, yes, I mean, it wasn't perfect, but it was $$ it
18		was a good way of bringing everyone together very
19		quickly and to get $$ to hear the perspectives from us
20		all .
21	Q.	Thank you. I would just like to touch on then issues
22		around reopening of universities . I think you have
23		probably touched on both of them already. One was the
24		removal of default remote working or learning from
25		guidance, and you have already mentioned your position

Ľ		in relation to that?	1	You know, as I say, I think, you know, in
2	Α.	Yes.	2	February 2021, thousands of people were still dying, the
3	Q.	But what was UCU Scotland's position on the importance	3	virus was still spreading, lots of people were
l		of retaining a default remote working/learning clause in	4	unvaccinated, and, you know, we didn't know enough about
5		the Scottish Government's sectoral guidance for	5	the virus to be supporting people who were seriously
5		universities ?	6	ill , so, you know, our priority was ensuring that people
7	Α.	Yes. I think it enabled us to continue to deliver	7	weren't being forced to be back on campus, and that
3		education safely, and as I said, it meant that	8	staff who might have been vulnerable or who had family
)		particularly autumn 2020, because we knew the pandemic	9	members that were vulnerable, you know, weren't put in
)		was increasing, and certainly in early 2021, thousands	10	that position of taking the virus back to their loved
L		of people were still dying, and people were still	11	ones.
2		getting COVID, people were having the effects of long	12	Q. UCU's position on the importance of maintaining the
3		COVID, so that cautious approach was absolutely	13	2—metre social distancing rule, how did that differ from
Į.		fundamental to us, so that only activities that couldn't	14	university employers, and what was the rationale for
5		be done remotely, or were time sensitive, and it just	15	advocating a stricter 2-metre rule?
5		meant there was more space to do those more safely on	16	A. Yes, I mean we were very much steered by the guidance
7		campus.	17	from SAGE and Independent SAGE. Some of our members who
3		So that point of really minimising in—person	18	were expert in these various areas were party to both
)		activity , yes, was key, because, you know, this was	19	SAGE and Independent SAGE and on the Expert Advisory
)		beneficial for students who may have been vulnerable too	20	Group. They were just advising us that the virus
L		to keep them safe as well as staff.	21	spreads by aerosol transmission, so the mitigations that
2	Q.	What were the concerns, because obviously it was	22	you can put in place to prevent and minimise
3		removed $$ I think it was in published guidance on	23	transmission, and we knew that ventilation and $$ yes,
L		1 September 2020, so what were the union's concerns	24	limiting numbers in given areas, so having that 2-metre
5		about the decision to remove that at that point?	25	social distancing rule was incredibly important to keep
		145		147
L	A.	Well, it meant that we had the really difficult period	1	people safe.
2		that we did in September. The rush back to campus	2	Q. And then you have mentioned there ventilation. You set

1	Α.	Well, it meant that we had the really difficult period
2		that we did in September. The rush back to campus
3		really backfired, and it meant you had so many students
4		${\sf self-isolating}$, you know, not being able to get the
5		support that they might have done from parents or
6		guardians if they had maybe had a more gradual return to
7		campus. Yes, it was a really difficult period and, you
8		know, actually we did have to go back to remote
9		learning, because, you know, the virus was spreading
10		again, and I think at that point we went to a $$ sort of
11		levels and different tiers in different areas so, yes,
12		it was $$ it was a difficult period.
13	Q.	Then you have touched on this already, but what was UCU
14		Scotland's reaction to the First Minister's statement in
15		February 2021 that only 5% of students would be able to
16		go on to campus, because obviously we have heard from
17		the universities that that was quite a small figure
18		relative to some of the sizes of some campuses?
19	Α.	Yes, I think $$ well, I guess we had wanted students
20		that were on campus, maybe using study spaces or
21		libraries , we wanted them to be included in that 5%, and
22		they weren't, so I guess we were just concerned that,
23		you know, it was quite an arbitrary figure, that it
24		meant there would be more people on compute than actually

meant there would be more people on campus than actually needed to be there.

members or was that something --A. Yes, our members, but also again this was from SAGE, the, you know, the expert group that were advising government, as well as Independent SAGE who were again experts advising on safe ventilation rates. So, yes, we wanted stringent standards to be implemented, so, you know, we set out the requirements that we wanted. You know, they didn't go to the level that we wanted, but, you know, we were very clear that this was in the interests of people's health and safety to minimise

out at paragraph 35 that UCU participated in discussions

with the Scottish Government about acceptable levels of

ventilation . What was driving the UCU or its members' concerns about ventilation? Was that being raised by

- transmission rates.
- $\,$ Q. And were any undertaking or assurances given as to how
- the issue of ventilation in schools and educational
- settings would be dealt with?
- 21 A. I mean, there were -- I'm sure there were -- there was
- guidance -- sorry -- there was guidance that was issued
- which as I say wasn't as good as the ventilation
- standards that we were expecting but, yeah, and
- I know -- I mean, we were also encouraging the use of

CO2 monitors because that was a really good proxy for 1 2 ventilation and, yeah, we were -- in fact I recall this 3 would have been probably autumn 2021, I mean I, along 4 with health and safety reps in a number of institutions, 5 we went to sort of check on the ventilation levels and 6 rates and so forth in lecture halls and so forth. 7 Q. And I think you've answered this already when you said 8 it didn't go far enough but how important did the union 9 consider the issue of ventilation to be in mitigating 10 Covid 19 transmission and how effectively do you 11 consider the government's guidance addressed this 12 concern? 13 A. I mean, we thought it was key and that was because the 14 experts were telling us that this was a virus that was 15 transmitted by ventilation so -- by poor ventilation, by 16 aerosol transmission so, yes, for us it was -- it was 17 really crucial and we would have liked the Scottish 18 Government to go further and -- you know, I think we 19 also felt that this was -- you know, moving forward this 20 was something that really should be taken on board 21 because, you know, there's lots of viruses and diseases 22 that are -- that poor ventilation enables to spread more 23 easily so for us this was a really positive 24 recommendation that should be taken forward because it 25 would have health benefits generally for the population.

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- Q. And then just in relation to vaccination, what was UCU 1 2 Scotland's position on the prioritisation of university 3 staff for Covid 19 vaccination? 4 A. Yes, I mean, we weren't asking for special measures for 5 our members or students but we certainly encouraged our 6 members to take up vaccination and, yeah, students were 7 also encouraged to be vaccinated and, you know, our 8 members who would have been in vulnerable groups would 9 have been prioritised in terms of that how vulnerable 10 people were in the population as a whole. 11 Q. So you were just encouraging to take up the 12 vaccination --13 A. Yes. 14 $\,$ Q. $\,--$ rather than asking for priority to be given for 15 members? 16 A. Yes, that's right. 17 Q. Are you able to provide any examples of specific safety 18 measures or protocols that the Union successfully pushed 19 for in its discussions with the Scottish Government? 20 A. Yes, actually I suppose when -- this was November 2020 21 when there was the different tiers were being devised 22 and tier 4 was I guess the sort of highest if the virus 23 was spreading and was more of a risk and so our
- 24 definition of what restricted blending learning might
- 25 be, that was accepted by the government and that

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featured, you know, in the guidance at the time so, 1 2 veah, so as I say. I think we were -- throughout we were 3 making really important representations. There were 4 times when our comments were taken on board and there 5 were times when they perhaps weren't to the extent we 6 would have wanted and I think it possibly depended, like 7 I mentioned there was the Expert Advisory Group who were 8 scientists and, you know, experts in the field and, you 9 know, I guess when their advice coincided with ours, it 10 was more likely that what we were asking for, you know, 11 appeared in the guidance or the rules. 12 Q. Thank you. And we've already touched on some of the 13 mental health and wellbeing concerns that your members 14 had and you referred to the survey that you conducted in 15 summer of 2021. Was there anything in relation to 16 anxiety or workload that you would wish to add to what 17 you have already mentioned? 18 A. I think I have covered a lot, haven't I, that, yes, our 19 members reported workloads really increasing, and this 20 added to anxiety. Yes, I don't really have anything to 21 add. 22 Q. And then I'll just invite you to -- you have got a 23 section about potential lessons to be learned but are 24 there any potential lessons to be learned that you would 25 like to draw to the Inquiry's attention as particularly 151

T	key from the perspective of UCU and its members?
2	A. Yes, I mean I do think the COVID Recovery Group was
3	incredibly important to bringing the stakeholders, the
4	students, trade unions, employers together, I think that
5	was really important. You know, I guess I suppose the
6	overreliance of the sector on international tuition fees
7	from overseas students and the overreliance of the
8	sector on commercial income and I would say it does that
9	to a greater extent now than it did in March 2020 and
10	when we saw that that income was at risk, it was really
11	problematic, the fact that, you know, the sector doesn't
12	fund teaching Scottish–domiciled students fully and that
13	there is that reliance on that international student fee
14	income. You know, it was problematic during the
15	pandemic; I think it would be in even a worse situation
16	now than we were in March 2020. And I guess, you know,
17	the workloads, the fact that, you know, our members are
18	reporting that their workloads are higher now than they
19	were in March 2020, I think that all adds for, you know,
20	real $$ yeah, real challenges to the sector. Yeah, I
21	feel that our Safety First approach, you know, I think
22	it's something that the Union stands by so, you know,
23	I think that was important. Having the sectoral
24	guidance, I think that was also incredibly useful.
25	I think we had concerns perhaps how it was maybe

1 implemented at times, and how it might have been flexed 2 to the limits, but I certainly do think it was really 3 useful to have that guidance for the sector as a whole 4 in Scotland. 5 Q. Okay. Thank you very much, Ms Senior. 6 My Lord, I don't have any further questions unless 7 your Lordship has anything? 8 THE CHAIR: Thank you, Ms van der Westhuizen, and thank you 9 Ms Senior. That's all, and 10 o'clock tomorrow morning. 10 Thank you. (The hearing was adjourned to a time to be confirmed on 11 12 Tuesday, 19 November 2024) 13 14 15 16 17 18 19 20 21 22 23 24 25 153 1 INDEX .1

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