OPUS2

Scottish Covid-19 Inquiry

Day 57

November 6, 2024

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1
2 Wednesday, 6 November 2024
3 (10.00 am)
4 MS VAN DER WESTHUIZEN: Good morning, my Lord.
5 THE CHAIR: Good morning, Ms van der Westhuizen. Do you
6 have a witness for us?
7 MS VAN DER WESTHUIZEN: I do, my Lord. Our first witness
8 today is Mr Graeme McAlister from the Scottish
9 Childminding Association.
10 THE CHAIR: Good morning, Mr McAlister.
11 THE WITNESS: Good morning.
12 THE CHAIR: Very good. When you're ready, Ms van der
13 Westhuizen.
14 MS VAN DER WESTHUIZEN: Thank you, my Lord.
15 MR GRAEME MCALISTER (called)
16 Questions by MS VAN DER WESTHUIZEN
17 Q. Mr McAlister, please can I ask you to give your full
18 name?
19 A. My name is Graeme McAlister.
20 Q. And you have provided a statement to the Inquiry?
21 A. Yes.
22 Q. For reference, my Lord, that's SCIWT032300001.
23 Mr McAlister, you are the current Chief Executive
24 Officer of the Scottish Childminding Association, or
25 SCMA; is that correct?

1 A. That is correct.
2 Q. And you have held that role since April 2019?
3 A. Yes.
4 Q. In paragraph 6 of your witness statement, you note that
5 the SCMA is the only organisation in Scotland dedicated
6 to all aspects of childminding and that approximately 82
7 per cent of childminders in Scotland are members, then
8 in paragraph 8 you go on to note that the childminding
9 workforce is currently around 3,100 members and that the
10 SCMA has 2,500 childminding members across all 32 local
11 authorities. That's a far lower number than it was five
12 years ago when there was a workforce of around 4,700 and
13 the SCMA at that point had just under 4,000 members.
14 I'll come on to ask you in a moment about the reasons
15 for that decline but I would first like to ask you a
16 little bit more about childminders generally.
17 A. Yes.
18 Q. In terms of the demographics of your membership and the
19 childminding workforce, in paragraph 145 of your
20 statement, you mention that during the pandemic 99.7 per
21 cent of childminders were female. Is that still the
22 case today or what percentage?
23 A. Yes, that's still correct.
24 Q. And if you could please explain a bit more who tends to
25 become a childminder and what sort of qualifications and

1 training requirements there are for that?
2 A. The main entry point to childminding is predominantly
3 females age 30 to 39 who have a child or children of
4 their own and have made an informed choice that they
5 want to care for their own children but perhaps have a
6 need to earn an income, a desire to do something more
7 flexibly, perhaps to do something a bit more meaningful
8 and different with their life at that time. So very,
9 very diverse backgrounds. We have had childminders who
10 have worked previously as early years practitioners and
11 nurseries, teachers, people from hospitality, banking,
12 police officers, social workers. A very, very diverse
13 range of backgrounds coming into childminding. What you
14 might see is that desire to make a difference for
15 children. What they also bring is a lot of lived
16 experience from their previous careers having cared for
17 children themselves and most childminders when we
18 actually speak to them find that what they find most
19 rewarding about the profession, it's the impact they
20 make on children, it's seeing children grow and develop
21 in response to their care.
22 Q. And just in terms of qualifications and training, are
23 there any other special requirements in that regard?
24 A. There is not a mandated qualification as such for to
25 become a childminder. Childminding is a registered form

1 of childcare. That's through the Care Inspectorate who
2 is the care regulator in Scotland, so childminders
3 undergo a whole range of quality assurance in terms of
4 they undertake self evaluation, are regularly inspected,
5 they undertake continued professional learning.
6 However, if they wish to deliver what's known as funded
7 early learning and childcare, which is a statutory
8 entitlement from the Scottish government of funded
9 childcare for parents of three, four and eligible
10 two-year-olds, then to deliver that entitlement, they
11 have to obtain an HNC. They have five years to do that
12 if they would like to, so it can be an HNC or an SVQ3.
13 Q. Thank you very much. If you could then just explain a
14 little bit about what childminders do and how that
15 differs from other forms of early learning and
16 childcare, please?
17 A. Yes, of course. Childminding is a unique form of child
18 care and family support. Childminders deliver from
19 their home on domestic premises in small numbers. About
20 82 per cent of childminders are currently registered to
21 care for no more than six children at any one time and
22 there are strict ratios around that so no more than one
23 child under 12 months, no more than three children under
24 school age and no more than six in total but what they
25 do in their setting is very different to other forms of

1 childcare. They have children from birth through to 12
2 or indeed children with additional support needs so they
3 can care for children up to 16. So you have this mix of
4 preschool and school age childcare and what's been shown
5 is that there's a range of evidence now to show that by
6 children learning and playing together of different
7 ages, that can actually benefit different aspects of
8 development, so it's a very nurturing form of childcare.
9 There's a high activity, it's very sort of child-led,
10 high activity of play, high level of outdoors activity,
11 but there's also a very high quality form of childcare.
12 Childminders consistently annually score higher quality
13 ratings across all quality criteria through independent
14 inspection by the Care Inspectorate than what's called
15 Daycare of Children Services, so that's local
16 authorities and private nurseries combined, but there's
17 also a form of family support in the sense that there's
18 now research to show parents who use childminders
19 believe they are able to access non-judgmental
20 professional support through a childminder, it helps
21 them with parenting, with skills. Childminders also
22 support children through various transitions, so going
23 through nursery, going to primary school, going to high
24 school, so you have got very strong continuity of care
25 and it's quite common for childminders to be viewed as

1 an extended part of the family so children who have been
2 cared for as a childminder want to become adults, will
3 regularly invite childminders to their weddings, to 21st
4 2021 celebrations. So does that give you a sense of
5 ...?
6 Q. It does very much, thank you. In terms of business
7 models, what business models do childminders have --
8 I think you mentioned 82 per cent are sole practitioners
9 and sole traders. What about the others?
10 A. The other 12 percent -- I mean childminders can operate
11 with what's known as an assistant. They still have to
12 maintain those ratios I was telling you about for caring
13 for children but as long as they can maintain that
14 through assistance, they can extend the size of their
15 setting. Some childminders work in partnership together
16 where one registered childminder goes into another
17 registered childminder's home and they deliver the
18 service together but it's more common for those who are
19 above the six size to have assistance. The size drops
20 off the further you go. The largest setting we
21 currently have in Scotland is for 54 children and
22 childminder employs nine assistants to maintain those
23 ratios I was describing. Where you find those larger
24 settings, it tends to be in open, rural areas where
25 there's no other form of childcare available.

1 Q. And in those larger settings would they all be on one
2 site or in one home?
3 A. Yes.
4 Q. And are they bespoke settings then sort of a church hall
5 or would they be in somebody's home?
6 A. No, I mean childminding legally, the definition of
7 childminding is it can only be delivered on domestic
8 premises so where you have larger childminding settings,
9 it's basically in a large house where it's almost like
10 mini childminding groups within that delivered together
11 to maintain their ratios.
12 Q. In terms of remuneration, how well paid are
13 childminders?
14 A. It's not a high income profession. We undertook some
15 research back in 2022 which found that at that time only
16 13% of the childminding workforce could pay themselves a
17 real living wage. We do believe things have been
18 improving, but most people who become childminders do so
19 not for the pay; they do it more -- they see it as a
20 vocation. They really want to make a difference, but
21 also if it fits with their life at that time, you know,
22 if they have young children, they want to care for them
23 themselves; they want that flexibility of perhaps you
24 can choose the hours. They can be their own boss,
25 working from home.

1 But what's quite interesting is quite a few people
2 go into childminding, perhaps think they'll only stay
3 while their own children are young, but actually
4 continue practising for 20, 30 years.
5 Q. Who tends to use childminders? Obviously it's parents
6 and carers, but is there a particular demographic?
7 A. No, not at all. I think with childminding, there are
8 still some outdated misperceptions, in terms of: is it
9 babysitting, is it looking after? It's so much more.
10 It's a very high quality form of childcare. So it's an
11 informed choice that tends to be for parents who have
12 some knowledge of childminders, access that, and when
13 they do access, they really want to stay with it. They
14 find it a very high quality form of childcare.
15 Q. Is it used or is it prevalent in particular areas, for
16 example, rural versus urban, or is it evenly spread?
17 A. It's evenly spread. I think, as with other forms of
18 childcare, childminding businesses have been relatively
19 more difficult to establish in low income communities,
20 in terms of perhaps people don't have the same level of
21 confidence to actually establish their own business,
22 don't have the same opportunity. So we have been doing
23 a lot of work to try and develop childminding businesses
24 more in low income areas, but they're fairly evenly
25 spread around the country, in both urban and rural and

1 across socioeconomic backgrounds as well.
2 Q. Thank you. If you could go on to explain, you touched
3 on funding a moment ago, if you could explain how places
4 are funded in -- with childminders?
5 A. Most places are privately funded. But it is also -- you
6 were asking earlier about the business model. Within
7 the childminding setting, you could have babies. You
8 could have one-year-olds, you could have two-year-olds.
9 Then when you get to two to four-year-olds, you could
10 have some children who access their statutory
11 entitlement of funded ELC from the Scottish Government,
12 so that's part of the income, but there will also be
13 private arrangements. Not all parents use funded ELC.
14 They prefer to make their own arrangements.
15 Then when you get to 5 to 12 for school-age
16 childcare, again, that's prominently private placements,
17 as are additional support needs. So really it's mixed
18 business models that most childminders have within that.
19 There's not one standard model as such. It's very
20 variable.
21 Q. You've mentioned in your statement blended placements;
22 could you please explain what that is?
23 A. Yes. A blended placement is a split placement between
24 two different forms of childcare, so again, many
25 parents -- I mean, one of the reasons that parents

1 choose to use childminding is that they feel quite
2 guilty about having to work. So by having a child cared
3 for in another home, it's replicating that home from
4 home family experience. So that's why a lot of parents
5 choose childminding, and some parents, particularly of
6 one and two-year-olds, perhaps feel that their child
7 wouldn't settle in a nursery for seven or eight-hour
8 days. It would be quite long for them.
9 So some parents prefer to actually have a mix, where
10 a child will spend part of the time within a nursery and
11 part of the time within a childminding setting. Many
12 childminders also provide what's called wrap-around
13 care, which can be either before school or after school
14 as well. So there's a lot of flexibility around these
15 models.
16 What I would say is that childminding is much more
17 flexible generally than nursery provision, in the sense
18 where you have local authority nurseries perhaps still
19 close at 3.00, 3.30, you may have private nurseries open
20 until 5.00 or 6.00. Childminders can work longer days.
21 They are very responsive to families. What they found
22 is that parents have increasingly flexible working
23 patterns which they have needed to respond to, so they
24 really try to tailor their care to the families.
25 Q. We touched on earlier the dramatic decline in the

1 childminding workforce, which started pre-pandemic.
2 Could you please explain what the reasons for that is?
3 A. Yes, the childminding workforce in Scotland has been
4 declining since 2016. The reasons are multifactorial.
5 One of the main policies -- sort of backgrounds we have
6 had is that during this period, the Scottish Government
7 has been expanding the statutory entitlement of funded
8 early learning and childcare.
9 So up until about 2016, parents in Scotland could
10 access about 600 hours of funded childcare each week.
11 What the Scottish Government committed to in 2016 was
12 really ambitious. It was to almost double that
13 statutory entitlement to 1,140 hours a week(sic),
14 roughly 22 hours a day(sic), for parents of all three
15 and four-year-olds, and what are called eligible
16 two-year-olds. So it was low income families and
17 vulnerable children.
18 So it was a really ambitious policy which we were
19 supportive of. It's about closing attainment gap,
20 supporting of parents. But many childminders found it
21 very difficult to operate, if you like, during the
22 expansion of funded ELC. We have been on record on
23 previous inquiries that we are supportive of ELC policy,
24 but the manner in which it has been implemented has been
25 really challenging for childminders.

1 The Scottish Government commissions us annually to
2 undertake an annual independent audit to monitor local
3 authorities' progress and including childminders and
4 delivering a funded ELC. What we have been doing is
5 tracking the workforce during this period. So between
6 2016, and I think it was last year, our workforce
7 declined about 41%. So in real terms, that's about --
8 we have lost about 1,300 places for families. We have
9 lost about 2,300 childminding businesses. That has been
10 really serious.
11 Now, the reasons are multifactorial. Part of it, we
12 have an aging workforce. One in five of childminders
13 are currently 55 plus. Many childminders found it
14 difficult to compete with expansion of funded early
15 learning and childcare. Some local authorities were
16 inclusive, others less so. So it has been quite a
17 challenging environment.
18 But also there was a national recruitment drive to
19 recruit new workers into the workforce to support the
20 expansion of funded ELC. What it was anticipated and
21 hoped for is it would bring lots of new workers into the
22 sector. Instead, what hadn't been anticipated is that
23 it acted as a bit of a destabilising effect. What we
24 found was that early years practitioners working in
25 private nurseries who had been on lower pay, people

1 working in social care and lower paid childminders again
2 were attracted by the higher pay available in local
3 authority nurseries. So we had the sort of inadvertent
4 destabilisation of our workforce as well. So it is when
5 you run those factors together, they have all sort of
6 contributed collectively to the decline in our
7 workforce.
8 Q. Then in terms of the functions of the SCMA and the work
9 you did during the pandemic, in paragraphs 16 to 17 of
10 your statement, you describe the type and support and
11 representation that you provided for members, and then
12 later in paragraph 39 you describe the sorts of things
13 that SCMA did over the pandemic, and you mention in
14 particular, at (4), you mention the fact that you did
15 regular surveys of members to understand the impact of
16 opening -- operation restrictions on childminding
17 businesses and families. I'm going to come on to ask
18 you to tell us a bit more about that, but just if you
19 could give an indication of how many and what sort of
20 types of surveys. What were you asking?
21 A. First of all, when the pandemic struck and schools
22 closed, and we managed to keep childminding open in a
23 reduced capacity, we undertook a survey to find out, you
24 know, how many childminding settings were still open,
25 who were willing to stay open to support the national

1 response.
2 But it was more as the pandemic progressed, there
3 were lots of operating restrictions due to the pandemic
4 which changed frequently in relation to and in response
5 to the public health advice. So we would undertake
6 regular snapshot surveys of our workforce to understand
7 the impact, the operational impact of different
8 restrictions on our business, whether it was financial,
9 whether it was practical, in terms of how they operate,
10 to capture data to inform ongoing discussions with
11 Scottish Government, local authorities and others, so we
12 could actually understand what was happening on the
13 ground.
14 Similarly, we undertook surveys specifically on
15 childminders' business sustainability, to actually
16 understand what was the financial impact of some of
17 these restrictions. So it very much depended on where
18 we were. You spoke about blended placements earlier.
19 That was another example where the restrictions on
20 blended placements during the first national lockdown
21 had a very significant impact on childminding businesses
22 at that time. So we captured snapshot data really to
23 inform discussions with Scottish Government.
24 Where we come from, we are a national advocacy
25 representative body, but we try to be as evidence-based

1 as we can. So it's very much we're trying to capture
2 data to inform discussions, and then to try to influence
3 change on behalf of childminders and the families that
4 they support.
5 Q. Thank you. If we could then turn to have a bit of a
6 discussion about the impact of closures on childminders
7 and childminding operations. In terms of closures,
8 I think in March 2020, the ELC settings were closed
9 except for vulnerable children and children of key
10 workers. In paragraph 45 of your statement, you say
11 then that SCMA did a snapshot survey of its members to
12 find out which were open or willing to be open, so this
13 was one of the surveys you mentioned. Could you
14 describe the situation of your members during that
15 period, March 2020, between March 2020 and June 2020,
16 when they were able to reopen with guidance.
17 A. Yes, of course, I'll try to.
18 Q. If I could just ask you in that discussion, if you could
19 give an indication of approximately how many remained
20 open, and why, what considerations were taken into
21 account, and any particular issues or challenges they
22 faced; it's quite a loaded question, captured all in
23 one.
24 A. Yes, please, if you don't mind prompting me if I don't
25 cover all points. One of the first things to say is

1 what's not widely known is that childminding stayed open
2 more than any other form of childcare during COVID-19.
3 The reason for that was largely due to the smaller
4 setting size. Because most childminding settings have
5 no more than six children at any one time, it was
6 recognised at a public health level that the risk of
7 transmitting COVID in a childminding setting was less
8 than in larger settings.
9 So initially, when schools and nurseries were
10 instructed to close nationally, childminding was allowed
11 to stay open on a normal basis. In reality, that
12 probably only continued for about a week, ten days
13 maximum. Then further restrictions came in.
14 Childminders were offered the opportunity to
15 contribute to the national response, to provide critical
16 childcare for key workers' vulnerable children, but very
17 much on a reduced capacity where they could care for
18 children from no more than two families other than their
19 own at any one time. So in the course of a week, they
20 could care for more than two families, but no more than
21 two at one time.
22 So when we did that first snapshot survey, we found
23 probably about 700 or 800 childminders who were quite
24 keen to stay open. Now, the reasons for that were
25 different in the sense that prior to the pandemic, a lot

1 of childminding businesses were quite vulnerable
2 financially. They struggled during the expansion of
3 funded ELC, as I mentioned earlier. They were quite
4 nervous, that if they closed, they might not reopen.
5 For us, as a membership organisation, if we'd had to
6 close, you know, reopen months later to a much reduced
7 membership, we would come back to a very different
8 place, but because we had the opportunity to support
9 childminders to stay open, we really thought it was an
10 opportunity to support families as much as we could.
11 So we undertook regular surveys over the three
12 months of the national lockdown, and it averaged between
13 700 and 1,000 settings were open at any one time, and we
14 supported those settings. As I said, the capacity was
15 reduced. What we had at a national level was criteria
16 for key workers. Again, it varied locally subject to
17 interpretation, but, you know, it was predominantly NHS
18 staff, people, frontline staff from a range of
19 professions who we were able to care for.
20 But also what we found, particularly health
21 professionals, doctors and nurses, became increasingly
22 interested in childminding, because there was less risk
23 of transmitting an infection in the setting. There was
24 quite a lot of demand. They actually preferred that
25 than going to a larger hub.

1 So the childminders that stayed open, it was a
2 really challenging period. We had rapidly changing
3 operating guidance. We were involved nationally along
4 with the Scottish Government, Care Inspectorate and
5 Public Health Scotland, in developing what was called
6 the childminding services guidance. So that was
7 operating guidance that really dictated how childminding
8 could operate throughout the pandemic.
9 There was over 30 iterations of that, a really long
10 document, 56 pages. But also childminders who stayed
11 open, their practice was very different, because they
12 were operating not just with reduced capacity. There
13 was enhanced cleaning of, you know, every aspect of
14 their setting. Toys, there was, you know, instructions
15 in terms of where shoes, coats had to be kept separate
16 again to minimise -- because at that time there was a
17 strong emphasis on believing that COVID-19 was
18 transmitted by surface contact, whereas latterly it was
19 more -- the evidence has shown airborne. But initially,
20 there was a huge emphasis on any form of surface
21 contact, so childminders had done enhanced cleaning,
22 which could add two hours to the day.
23 So childminders who stayed open could be working
24 from easily 8.00 in the morning until 9.00 at night.
25 They then had to deal with all these changes to the

1 operating guidance that were coming through, updates
2 from multiple bodies, and it was a really confusing
3 environment, because, you know, just speaking
4 objectively, this is not critical at all, our experience
5 of the pandemic is that the pandemic moved at such a
6 pace that the Scottish Government had no choice but to
7 make national announcements that, you know, restrictions
8 were going to be implemented.
9 At an operational level, we knew the detail had not
10 been worked out yet in terms of what did that actually
11 mean for providers. So in simple terms: can I stay
12 open? Parents wanted to know: is it safe to drop my
13 children off? If childminders were able to stay open,
14 under what basis?
15 So it was really challenging. So we had quite a lot
16 of communication vacuums, where sometimes it could be
17 three or four days before we actually get guidance
18 coming through from the Care Inspectorate in terms of
19 what this meant. So what we tried to do was to step in
20 and manage these communication vacuums, because they
21 could be damaging, quite dangerous when you have those
22 situations. We didn't always have the answer, but what
23 we set out to do was to get the answer, and what we
24 wanted to do was to maintain trust.
25 Childminders -- it is very isolating. They work on

1 their own. They were staying open, but also
2 childminding is different from, say, like a hub, for
3 example, in the sense that a childminding setting is
4 also a childminder's home. So we had this unknown
5 quantity in the forms of COVID-19, and the childminders
6 who stayed open were willingly taking children into
7 their setting, into their family home, when their own
8 family were present. That was something that really
9 wasn't recognised at the time.
10 So we did as much as we could to support
11 childminders. You know, it was hugely challenging
12 during that period, when there was so much information
13 coming through that childminders just simply didn't have
14 the time to read the guidance. But it was fundamentally
15 important, they needed to know what was safe, what was
16 good practice at that time.
17 So we had to improvise. We found that communication
18 channels were getting blocked. There were so many
19 organisations sending things out. So I found myself
20 improvising where I would actually sort of pull out with
21 my team key points from updates to guidance, what the
22 changes are, record them on our mobile phone. We would
23 upload it to YouTube, and we would put it out on
24 Facebook, which was a primary communications medium for
25 childminders.

1 Before the pandemic, you know, if we produced a
2 video, you would be lucky to get 200 or 300 views.
3 During a pandemic and a national lockdown, 3,000 or
4 4,000 people were following these videos. It wasn't
5 just childminders. It was local authority staff,
6 Care Inspectorate inspectors, parents. What we tried to
7 do was develop a quality-assured source of information
8 on childminding during that time, and to support
9 childminders the best we could during that period. I
10 have probably waffled a bit, but have I answered your
11 question?
12 Q. You've answered, we can probably just finish right
13 there. Thank you, that's very comprehensive. I just
14 wanted to ask you, you mentioned virtual contact, if
15 your members were operating as hubs, was that just for
16 key worker -- or not hubs but critical childcare, in the
17 first lockdown, was that just for children of key
18 workers and/or vulnerable children?
19 A. Basically when the schools closed, schools were
20 repurposed as hubs for delivering critical childcare.
21 So that was really, you know, children of key workers or
22 vulnerable children. Thought was initially given to
23 would it be possible for childminders to actually go to
24 the hub, participate in delivering care there. But
25 again, if you go back to the legal definition of what a

1 childminder is it's on domestic premises. That is what
2 the registration is for of the Care Inspectorate.
3 So it was recognised that childminders couldn't
4 deliver from a hub, so they had to do it from home, but,
5 yes, the families that they supported during those
6 three months of the national lockdown were predominantly
7 key workers, also some vulnerable children. But also
8 there were some informal agreements reached with local
9 authorities, where, for example, if you maybe had a
10 child with additional support needs who had already been
11 in that setting before the pandemic, if there was a
12 space in that setting without taking them over capacity,
13 sometimes the children who weren't children of key
14 workers were allowed to continue in those settings, so
15 there was some discretion there involved.
16 Similarly, we operate what are called community
17 childminding services, which are -- we have contracts
18 with local authorities to support vulnerable families.
19 It's really for families who are perhaps one step away
20 from crisis. Whatever is going on at a parental level,
21 could be mental health, addiction, bereavement, terminal
22 illness, is impacting on young children. They're
23 perhaps developing attachment disorders, that's been
24 picked up by social workers or health visitors. They
25 are referred to our specialised services for support.

1 So that was not within the scope of critical
2 childcare or vulnerable children, but we got an
3 agreement that where we had these community childminding
4 services in place, that they could continue during the
5 national lockdown, provided we didn't go above capacity
6 in terms of the number of children in those settings.
7 But what we also did was again try to support other
8 families as much as possible in the sense that
9 childminding was -- it wasn't unique, but we were an
10 outlier in terms of staying open during a national
11 lockdown. Many organisations within the children's
12 sector, family sector, had to close down. Women's Aid,
13 Home-Start, they weren't allowed to deliver physical
14 support for families.
15 So we managed to secure funding from the Scottish
16 Government, it was called the wellbeing fund, where we
17 were actually able to take referrals from other
18 charities such as Women's Aid where there was an acute
19 need for support, because our childminding settings were
20 open. The numbers weren't large. I think we supported
21 about 50 additional families that way. It was really
22 important to make a difference because what wasn't
23 widely known at the time, but I think the Scottish
24 Government has subsequently published the data for, is
25 that the estimates that were during the first few weeks

1 of the national lockdown, perhaps even the first half of
2 the national lockdown, probably no more than about 5% of
3 vulnerable children in Scotland were actually receiving
4 support, physical or virtual. Those -- had a very high
5 level of need, so anything we could do or others could
6 do to try to support vulnerable families, we did.
7 Q. In terms of uptake by vulnerable families with your
8 childminding services, was that also relatively low,
9 compared to how it would be --
10 A. No, I would say before the pandemic -- I mean,
11 historically, before -- I came into SCMA in 2019,
12 I think historically SCMA had community childminding
13 services in quite a number of local authority areas.
14 Currently we only have services in four areas. What we
15 found was that during the expansion of funded early
16 learning and childcare that I mentioned earlier, local
17 authorities were prioritising their interest, very much
18 having to think: we have this big policy, we have to
19 deliver it.
20 So some local authorities were switching their
21 focus, their interest and funding from community
22 childminding to what they needed to do to support ELC
23 expansion. So as we went into the pandemic, we had four
24 community childminding services. They were already at
25 capacity. There was quite a high level of demand from

1 vulnerable families.
2 The pandemic intensified that acutely. What we
3 found, and it has been reported by other organisations
4 during the pandemic, is you had a lot of families who
5 prior to the pandemic were just coping, but you had a
6 pressure cooker effect. When you had the pandemic,
7 people were at home, couldn't get out, who then went
8 over into really in need of support, and we couldn't
9 support all the families we wanted to. The demand was
10 way beyond what we could support at that time.
11 Q. If we could perhaps move on then, Mr McAlister, to
12 consider, and I think some of the issues we have already
13 touched on, but June 2020 when childminders were allowed
14 to reopen beyond critical childcare and restrictions,
15 did they have to close again at any point after that?
16 A. Not as such. It was quite a confusing period, because
17 as we came out from the first national lockdown, the
18 main emphasis was really on when could schools reopen.
19 When you have a national pandemic, it was an extended
20 national emergency. As you will be aware, exams were
21 cancelled, schools closed. So that was a real priority
22 and goal, if you like, was trying to get the schools
23 open in August.
24 So childminding was allowed to reopen, first, I
25 think, along with outdoor nurseries, because, again, it

1 was believed there was less risk in those settings. But
2 what we found was that over the next few months,
3 capacity -- the restrictions incrementally eased and
4 incrementally improved in terms of the number of
5 children we would have in our settings, but the
6 restrictions on blended placements remain, and that was
7 really the core part of childminding business, and
8 really affected them financially. So -- sorry, I've
9 slightly lost track of the question you asked.
10 Q. It was just whether you had to close again after the
11 first lockdown. Did you remain open?
12 A. No, I mean, I think individual settings had to close
13 individually quite often due to self-isolation. So
14 again, if there was an outbreak in their setting, if
15 they had an affected child come into the setting, they
16 were told self-isolate. So it was quite common for
17 childminders to report they maybe had to self-isolate
18 four or five times over a period of months.
19 They weren't closed formally again in the sense that
20 when we got to, I think it was in December of 2020, when
21 we all went back into level 4 restrictions, childminding
22 was allowed to stay open at that time, as we are aware
23 during the later Omicron outbreak. Where there were
24 restrictions were on larger childminding settings, so if
25 you had more than 12 children in your setting, you did

1 have to change, you had to reduce your capacity, and
2 those larger settings had to follow the operating
3 guidance that had been developed for nurseries and other
4 larger settings. But childminding was largely able to
5 stay open once we reopened in June 2020.
6 Q. Thank you. We'll come on to discuss now some of the
7 issues that they have faced in that period from
8 June 2020 onwards, which you have discussed in
9 paragraphs 60 to 96 of your statement. I'll ask you to
10 elaborate on some of those. Some of them you have
11 touched on already, but in paragraphs 67 and 68, you
12 refer to the fact that in June and July 2020, SCMA
13 conducted a survey, because the Scottish Government had
14 not indicated what would happen in relation to blended
15 places. I'm going to come on in a second to ask you a
16 bit more about blended places, but you say you got
17 responses from 1,300 members and only 20% of the
18 workforce believed their businesses would still be
19 viable in 12 months' time if restrictions continued
20 after schools went back. I'm going to ask you, were
21 those concerns related specifically to restrictions on
22 blended placements, or more generally?
23 A. No, it was very much around blended placements, because
24 again, the early sort of public health advice during a
25 pandemic was there was a preference to maintain children

1 or adults in small bubbles, and to minimise movement
2 between the bubbles. So that was why, during a national
3 lockdown, there was a very firm, you know: blended
4 placements were just not allowed unless absolutely
5 necessary to support key workers. So this really didn't
6 happen.
7 This had been -- when you looked at it from a
8 local -- nursery perspective, it's perhaps a small part
9 of the business, but within childminding it's much more
10 pronounced. It is quite common, particularly -- I mean,
11 childminders will care for babies, one-year-olds,
12 two-year-olds. When children get to three or four,
13 parents perhaps start to feel some other pressures,
14 actually thinking: well, which nursery is my child going
15 to go to; which school are they going to go to; if I
16 want to get to that school, is it perhaps better we
17 start attending a nursery attached?
18 There's all sort of those historic dynamics, that,
19 you know, we've moved on from a lot of that, but parents
20 were actually feeling quite a lot of pressures around
21 that at that time. But what we found is that because
22 those blended placements were not allowed, when -- our
23 members were really concerned, because it was great they
24 were told they can reopen. There was a lot of
25 discussions about when the schools could reopen. But

1 what nobody was looking at was, well, the blended
2 placements. That was like the real crunch point for us,
3 if you like, for childminders.
4 So we undertook a snapshot survey, got a really good
5 response. I think what that found was that childminders
6 reported having lost about 1,200 children from their
7 settings during a national lockdown. In practical terms
8 because blended placements weren't allowed, parents were
9 basically being told: you can either choose a
10 childminding setting or a nursery. When you look at all
11 of those pressures that I have been describing, you
12 think: in future I want to go to that school; parents
13 reported to us they almost felt pressured or almost
14 forced into actually choosing nursery over childminding.
15 A lot of these places didn't come back. That was a
16 core part of childminders' businesses. They needed to
17 know when blended placements could come back. But also,
18 what we'd found is that quite often during a pandemic,
19 there were disparities between what was in the
20 sector-specific operating guidance and what was in the
21 social guidance for the wider public.
22 So there were times when our childminders would
23 regularly report to us that they were still being told
24 by the childminding services guidance they had to
25 maintain their bubbles, and yet much wider movement was

1 being allowed out in social areas. People were going to
2 restaurants, pubs, different things. That was quite
3 difficult to reconcile for all of us at that time.
4 Again, it's not a criticism, just an observation of
5 where we were. It was very challenging for
6 childminders' businesses who relied on that income. So
7 we had to really push and advocate, try and get clarity
8 from the Scottish Government as soon as we could to know
9 when those restrictions would be removed.
10 Finally, over a period of weeks, we got confirmation
11 that restrictions would be eased by the time the schools
12 went back, but the wording was not supportive. It
13 wasn't saying, you know: blended placements are allowed.
14 It was still -- I would need to refer back to my
15 statement I gave to you. The way it was framed didn't
16 encourage that, and it was the legacy effect of that,
17 and essentially over the next six months, we still had
18 childminders reporting to us that local authorities were
19 just simply not allowing blended placements.
20 Part of that was based on our earlier experience
21 during the pandemic. Part of that was based on their
22 interpretation of the guidance, which again, the way it
23 was worded. So what we did is where there was consent
24 from parents, we would take up individual cases with the
25 Scottish Government, with local authorities, to try to

1 get these blended placements coming back. But even
2 looking at the data now, you know, blended placements
3 are lower than they were before the pandemic. They're
4 not as common. So that has kind of been almost like a
5 legacy effect, if you like, of the pandemic.
6 Q. You touched on earlier, Mr McAlister, the issue of
7 capacity, and you mentioned that in relation to
8 financial issues faced by childminders in your statement
9 at paragraph 64. Could you elaborate a bit on that,
10 because I think you mentioned that larger ones were
11 having to accommodate fewer children, but what were the
12 numbers, what numbers were allowed, and which sized
13 childminder businesses was this affecting? Was it all
14 of them or is it just the larger ones?
15 A. In terms of business sustainability, most childminders
16 were very concerned in the sense that they had had --
17 those that had stayed open during the national lockdown
18 had only been to care for children for two families at
19 any one time. So that was quite a sizeable hit in their
20 income. When they were allowed to reopen back in
21 June 2020, I think it was, I think the numbers increased
22 incrementally to three, four children. It took some
23 time before it got back up to six.
24 So there was all that sort of impact you'd had
25 really between March, and then probably the autumn of

1 2020 when they'd had decreased income. But also there
2 were differentials, in the sense that if you were known
3 as what is a partner/provider, and you were contracted
4 to deliver funded early learning and childcare to
5 families in your area, a decision was taken quite early
6 on in the pandemic by the Scottish Government and COSLA,
7 to actually confirm that the funding would continue for
8 these placements, even if providers chose to close.
9 So if you are a funded provider, you could have
10 chosen to close during -- for the three months of the
11 pandemic, still get paid for children who would have
12 been receiving funded ELC. If you're not delivering
13 funded ELC, it was a different picture. You had no
14 income. So you really had to work and try and capture
15 information, and again, it varied by individual business
16 models in terms of who was more affected than others.
17 Similarly, when it came to financial support, what
18 we tended to get was waves of financial support from the
19 UK Government to the Scottish Government. Different
20 funds would be created, and it was really just trying to
21 question -- trying to positively influence those as much
22 as possible.
23 We also had to improvise when as a charity we
24 released at one point about 30,000 from reserves, got
25 matched funding from the Scottish Government, and we

1 established a hardship fund just to pay small grants of
2 350. That was to childminders who were falling through
3 the cracks between different funding sources. It's a
4 very small sum of money, but if you had no money coming
5 in, that made a difference. That was actually scaled
6 up, but again, there were just differentials throughout.
7 So it's quite difficult to answer your question.
8 Q. Yes, well, in terms of being restricted to two
9 households at any one time, the smaller single sole
10 practitioner childminders, how many would they normally
11 have, how many children or how many households would
12 they normally be allowed?
13 A. Again, it was variable. If you are registered to care
14 for no more than six children at any one time, you could
15 have that maximum throughout the day. So that could be
16 more than six families. You may have eight or nine
17 families on the books throughout the week. But again,
18 if you are to go back to the restrictions during the
19 national lockdown, that was really pared back to
20 probably about a third of that.
21 But also, there was a lot of other issues as it came
22 out of the pandemic, in the sense that prior to the
23 pandemic, working from home was nowhere near as
24 extensive as it is now. So a lot of parents who had to
25 work from home during the national lockdown, they were

1 given a lot of flexibility, particularly those who were
2 actually having to teach their own children from home,
3 and employers gave that flexibility.
4 So what we found is that it was really uncertain as
5 we came out of the pandemic, what was the demand for
6 childcare going to be. It wasn't the same as it was
7 before the pandemic. What we found is some families who
8 perhaps, if their own family income had reduced during
9 the national lockdown, they were actually looking, could
10 they perhaps save by not paying for childcare. So there
11 was really uncertain demand for quite some time as a
12 result of the pandemic. So that really impacted on them
13 financially as well.
14 Q. You touched on guidance earlier, and you mention in
15 paragraph 91, childminders did not know what was coming
16 through in the massive documents, what had changed or
17 had time to read them. Could you elaborate a bit on
18 that? You go on then to say how you addressed that, but
19 how big an issue was that for your members?
20 A. It was a big issue. As I mentioned earlier, that for
21 those who had stayed open, you know, if you're receiving
22 a large guidance document, perhaps 50, 60 pages, at that
23 time, the preference from the Care Inspectorate was that
24 providers should read the full document. Whereas we
25 always very much recognised, you had a core document.

1 Obviously a lot of the content didn't change. What was
2 really important to providers, are what are the changes,
3 what do I need to know. So it was a question of pulling
4 out those key points for providers.
5 Again, it was going back to the comments made
6 earlier about the extended days that childminders were
7 working. They were absolutely overwhelmed through the
8 enhanced cleaning, working in their setting. They just
9 didn't have time to read those documents. So it was
10 fundamentally important from a safety point of view, so
11 that childminders didn't breach the terms of the
12 registration. So it was a really important sort of
13 interface, if you would like, almost between policy and
14 practice, and also as mentioned, you know, we had,
15 I think, 32 iterations of the guidance over the two-year
16 period.
17 Q. You also touched on cleaning earlier in the context of
18 the lockdown and the hubs being opened, and you mention
19 it as well in the context of opening with restrictions
20 at paragraph 74 onwards. You mentioned earlier the
21 extra time that would need to be spent by childminders
22 doing this additional cleaning. In paragraph 77, you
23 also talk about additional costs for complying with the
24 restriction measures. Do you care to elaborate a bit on
25 that as well?

1 A. Yes. It was just as I had mentioned, the public health
2 focus fairly early on in the pandemic was a sense that
3 this was an infection that was spread primarily by
4 surface contact, so what that entailed was, you know,
5 very extensive deep cleaning every day of your setting,
6 you know, all surfaces, anything a child had touched
7 also had to be cleaned before another child could touch
8 it. So toys, books, you know, there were restrictions
9 where childminders couldn't have throws on their sofas
10 in case it spread infection. There was rules around
11 what you could do with coats, separate tubs for wellies,
12 shoes. It was really, really intense.
13 I was actually speaking to one of our members
14 recently about giving evidence today. She actually, to
15 use her words, found it quite triggering. She remembers
16 literally a child would be playing in her setting, and
17 then once that child put their toy down, she would be
18 subtly trying to take the toy away and clean it behind
19 the child's back, so it didn't see what she was doing,
20 she didn't want to unsettle them.
21 That was their reality. They had to do that every
22 day, and obviously that frequency, that intensity of
23 cleaning, that meant obviously a significant increase in
24 the supplies you were going through, because that was
25 happening nationally. There was demand everywhere for

1 those supplies. I think probably some -- there was
2 probably an element of profiteering for some private
3 companies, in terms of sensing it was an opportunity.
4 Childminders found it really difficult sometimes to
5 access materials. Again, originally the thought was
6 that they would be able to, during the national response
7 when they stayed open, to provide critical childcare,
8 that they might be able to access supplies from the
9 hubs, but most cases that didn't happen. The Scottish
10 Government did sort of positively arrange for all
11 providers in Scotland being able to access account where
12 you could access materials at discounted rates, but
13 again, they weren't always available, just in terms of
14 the sheer demand and the level of supply at that time.
15 But it also meant that, you know, childminders quite
16 often, because of the restrictions on travel as well,
17 they were perhaps going to their local shop to buy these
18 materials, rather than being able to travel further
19 afield, where they might be able to get it cheaper as
20 well. So there was all sorts of those issues came in,
21 and that was also even more pronounced in remote and
22 rural areas as well, where the costs were more
23 significant.
24 Q. Before we turn to look at impacts on children, if I
25 could just touch on the impacts that all of this had on

1 your childminders and on the childminding sector. You
2 discuss the impact on childminders in paragraphs 129 to
3 145. Could you please outline specifically the reasons
4 for and the impacts on mental health. It's one of the
5 particular issues you --
6 A. Yes, I mean I think -- I mean, childminding itself, as I
7 mentioned earlier, just over 80% of childminders are
8 sole practitioners. So childminding had been quite
9 isolating. Before the pandemic, there were maybe about
10 200 what we call childminding groups around the country,
11 where childminders would get together with other
12 childminders, and the children would go out and
13 undertake activities. Those events weren't allowed
14 during the pandemic.
15 So childminders were very much on their own. They
16 were very isolated. They were dealing with the
17 intensity of the situation on their own, but
18 childminders reported to us often felt conflicted. Some
19 felt, you know, they absolutely wanted to stay open.
20 Some felt they had to stay open financially. As I
21 mentioned earlier, a childminder's setting is also a
22 childminder's home. So there is also this guilt, you
23 know, you had this unknown virus in terms of: am I
24 actually exposing my family to additional risk by doing
25 this? They wanted to help.

1 So all of those issues, but also during a national
2 response, childminders by default were primarily
3 supporting key workers. Many of those worked in health.
4 I had mentioned earlier about the fact that families who
5 access childminding also view it as a form of family
6 support as well as childcare.
7 So what's also been reported to us is that you may
8 have frontline health professionals working in ICU units
9 who didn't feel able to go home and tell their own
10 families about what they were seeing on a daily basis.
11 They didn't want to worry their families, they didn't
12 want to scare their families. But they would actually
13 tell their childminder since they had such a close
14 relationship. So childminders were actually absorbing
15 all of this, really sort of providing a safe place to
16 talk, a non-judgmental place to talk, for a whole range.
17 They also had their own concerns about business
18 sustainability, in terms of would their business still
19 be viable. So all of that contributed very much to, I
20 suppose, an increased instance of mental health. You
21 know, many childminders really struggled. What we did
22 as an organisation was to facilitate access to
23 counselling, so if childminders really needed to speak
24 to somebody, they could do so, but also what we worked
25 to do as an organisation was to reduce that isolation as

1 much as possible. So we were really trying to reach
2 out, make them feel connected, part of something so that
3 they weren't on their own, if that makes sense.
4 Q. Yes. You also discussed the impact on the childminding
5 workforce at paragraph 129 and following. You discussed
6 earlier the fact that this was in decline already
7 pre-pandemic. To what extent did the pandemic
8 exacerbate this, or was it always going one way anyway?
9 A. The childminding workforce had been, I think before the
10 pandemic, had declined by about 20, 24%. Certainly the
11 first year of the pandemic, we saw a sharp acceleration
12 in terms of that decline. Again, you know, some
13 childminding settings who had been a bit vulnerable
14 financially before the pandemic, it was the final straw
15 for them. If they had to close, if there was reduction
16 in income, they weren't able to reopen.
17 So that was why, I mean, for us, it was quite a
18 strange thing to do now when we look back on it, but
19 prior to the pandemic, we had actually been developing a
20 sort of three-year strategy as part of a longer ten-year
21 journey to reverse the decline in the workforce. We had
22 actually signed it off with our board about ten days
23 before the pandemic struck. We had to put that strategy
24 to one side. It was the right call, we focused on
25 supporting our workforce.

1 But by the time we got through that first year of
2 the pandemic, we thought: we actually have to go out and
3 launch this strategy now, because if we don't, that
4 workforce is just going to go into a level of decline
5 they will not recover from.
6 So in May 2021 we launched that strategy. It was a
7 time of when very few in Scotland were looking forward,
8 because we just didn't know if we'd be forced back by
9 restrictions. Sometimes we were, but that was the right
10 call. What that did was bring the local authority,
11 Scottish Government to us, organisations interested in
12 actually thinking: right, what can we do. So we're in a
13 different place now, but the pandemic absolutely
14 accelerated the decline of the childminding workforce.
15 Q. Thank you. If we can turn now to have a look at impacts
16 on children. You cover this at 97 to 120 of your
17 statement, and at paragraph 97, you preface your
18 comments on the impacts of COVID-19, by noting that
19 there were many organisations involved in data
20 collection that the SCMA did not want to duplicate other
21 activity.
22 You make the comment there that Public Health
23 Scotland was leading on capturing data on children's
24 outcomes via surveys, and has published three reports.
25 Your members' experiences on the impact of children are

1 broadly consistent with these.
2 Could you please explain, how did your members
3 report back to you about impacts on children if you
4 weren't carrying out surveys specifically in relation to
5 impacts, and how did you get that information from them
6 about that?
7 A. A variety of channels. We're a membership organisation,
8 so in terms of our communications channels, we have a
9 telephone helpline; we have an email enquiries point; we
10 actively survey members on different areas; we invite
11 contact from members; we have networking events
12 virtually; we have training events where we capture
13 information.
14 But we also have a number of what we call
15 childminding and development officers who are area staff
16 in different parts of the country. So again, it was
17 also they're very close to the ground on a daily basis
18 supporting local childminders with practice.
19 So via all of those different channels, we were
20 capturing information, so from an evidential point of
21 view, the first thing is to say it's anecdotal. We went
22 to the point, as I said, there was so much coming
23 through, so many requests for surveys, childminders
24 simply just didn't have the time. We thought, well, we
25 had worked closely with Public Health Scotland, they

1 were the experts on this, they were looking at outcomes
2 on children.
3 So what we did, we made a conscious decision that
4 instead of actually surveying our members ourselves,
5 when it came to the impacts on children, we would
6 actually sort of share those surveys, encourage our
7 members to snowball in to parents, try and drive
8 responses as much as we could.
9 I think reading those reports that were produced,
10 you know, the findings are broadly consistent with what
11 we experienced anecdotally, but it's also -- anecdotal
12 information sometimes can be dismissed from an
13 evidential point of view, but that continues to
14 increase. Even now, when I speak to childminders two
15 years on from a pandemic, if I was to say to them: what
16 were the main two impacts on children; the first will be
17 emotional disregulation; the second will be delay in
18 speech and language all ages. Childminders are still
19 talking about that, they're still dealing with that.
20 That was very much the experience during the
21 pandemic that you had children whose entire life routine
22 was interrupted. They found it really difficult to
23 control their behaviour, different situations, how to
24 react to situations. They didn't have routines that
25 perhaps would have normally had. It was also families

1 were at very different places as well, because I think
2 it would be a mistake to just think about the national
3 lockdown of three months as being the only impact,
4 because what we had was that first national lockdown.
5 You then had an incremental easing of restrictions, but
6 then had level 4 restrictions in December. You had the
7 Omicron outbreak later.
8 But we also found that families were at very
9 different places. Families who had perhaps been key
10 workers and had been working during the pandemic, it was
11 more normal to them. They were used to going out every
12 day. Their families were used to them going out. But
13 if you hadn't worked for those three months, what we
14 found was some families were a bit more nervous. Even
15 though those restrictions eased, they were perhaps a bit
16 nervous about actually allowing their children to go
17 back to different settings, for fear that they might get
18 infection.
19 So again, families were all at different places with
20 that, so we just tried to capture as much information as
21 we could. In terms of the main impact, as I said, it
22 really was emotional disregulation that was the main
23 issue for them.
24 Q. I was just going to say that you have got quite a long
25 list there, but as you say at paragraph 98, the best on

1 feedback, the main adverse impacts were in terms of
2 socialisation skills and ability. Are you able to
3 elaborate a little on that, please?
4 A. Yes, I think in terms of socialisation skills, it's
5 quite interesting, because that can be experienced in
6 different age groups, in the sense that you had younger
7 preschool children who perhaps hadn't been able to
8 attend nursery, hadn't been able to attend the
9 childminding setting for a period of months. Depending
10 on the family and how much support they actually
11 received, children are at very different places, but
12 also because in childminding, childminders care for
13 children from birth through to 12, what childminders
14 were also reporting to us is that for children who were
15 perhaps leaving nursery to go to primary school, in
16 terms of that transition, they didn't have the
17 opportunity to have a sort of leaving celebration. They
18 didn't have the opportunity of prearranged visits to
19 support the transition.
20 Then when you extend it up the scale, to those
21 leaving primary going to secondary, it was the same.
22 You had a cohort of children who perhaps weren't able to
23 access the normal transition opportunities you would
24 have, between going from primary school to high school.
25 Q. So you have transitions down as a separate impact?

1 A. Yes.
2 Q. Is that related to the socialisation skills?
3 A. Yes, very much so, because I think it was linked to that
4 in a sense that there wasn't the same level of social
5 contact through transitions, but in terms of actual
6 socialisation themself, you know, childminders also
7 reported to us that in terms of older children, that
8 they were just losing their confidence, their ability to
9 interact with others, because they weren't able to
10 physically go to school, they weren't allowed to go and
11 meet up with friends. There would be some online
12 contact, but it really affected the confidence,
13 communication, their ability to engage, so it was all of
14 that aspect of socialisation.
15 Q. You also mention language and communication. Would you
16 care to elaborate on that and what childminders provide
17 in terms of enrichment and teaching in relation to
18 language and communication?
19 A. Yes, absolutely. Childminding, again, I had mentioned
20 earlier that there can be some outdated misperceptions,
21 that it's just babysitting or looking after. It's also
22 very high quality for childcare. There is a very high
23 element of learning within childcare settings.
24 One of the benefits of smaller childminding settings
25 is that because of the number of children in the

1 settings, the children won't necessarily see one-to-one
2 support, but they definitely will have more personalised
3 support. Childminders will have more time to spend with
4 individual children if they recognise there is an area
5 where they would perhaps benefit their development.
6 Also, as I said, because you have children of
7 different ages, you would actually have perhaps an older
8 child, maybe five or six, sitting reading to a
9 two-year-old. You would have younger children picking
10 up the language being used by older children, so again,
11 you had that interaction within childminding settings.
12 But again, when we look at the literature now, I think
13 the emphasis has very much been on delayed language in
14 younger children. I would agree with that, but equally,
15 I know our members would immediately say to me: no,
16 across all age groups, is what they experienced. It's
17 very much anecdotal.
18 Q. You mentioned play at paragraphs 105 to 108, and we have
19 heard something about play already in the hearings. To
20 what extent -- how important is play in relation to the
21 activities that childminders provide and what impacts
22 were they seeing as a consequence --
23 A. Play is hugely important. Sometimes it can be almost --
24 not dismissed but perhaps viewed as not as important in
25 learning. We would actually argue in fact quite

1 strongly that play really supports learning, is hugely
2 important. Within childminding, as I said, it can be
3 very child-led. There is a high element of play. But a
4 lot of that play is also outdoors within childminding
5 settings, going out exploring, playing in the garden,
6 going out in the local woods. So that is a very strong
7 part of childminding.
8 It's comparatively easier for a childminder to go
9 out with a small group of children than it would be for
10 a nursery to arrange a group outing if you would like.
11 So play to us is massively important. Again, I think
12 one of the adverse impacts of the pandemic, particularly
13 in relation to outdoors, was that families who perhaps
14 higher income, who had larger houses, had gardens,
15 COVID-19 was a much better experience for those
16 families. They actually report to us there was a higher
17 quality of life, they enjoyed spending time together
18 with their families.
19 If you compare that with a family, a low income
20 family in a flat that doesn't have a garden, there's no
21 park nearby, you're not allowed to go out very often, it
22 was a very different experience for those families. So
23 those families were not able to access outdoors and in
24 turn experience as much play.
25 Q. Thank you. You have quite a few on the list. We won't

1 probably have time to go through all of them, but
2 feeding and eating, for example, is one. How was that
3 impacted, based on feedback from your members?
4 A. Again, what members reported to us is that -- it was
5 very common in childminding settings for children to sit
6 and eat together, and for the childminder to be with
7 them, because a lot of language, communication
8 development takes place -- that's interaction when those
9 children of different ages are together. But due to the
10 pandemic, if a child wasn't able to access a
11 childminding setting, again, it's all interlinked, the
12 loss, the routine, they lost that opportunity when it
13 came to food.
14 Again, it's only anecdotal, but the reports we have
15 is again that with lower income families, that they may
16 not have perhaps been able to access the nutrition they
17 might have done if they had been attending the
18 childminding setting. So again, there was quite a few
19 challenges around that as well.
20 Q. Are there any other on the list? It's quite -- language
21 and communication, personal skills, sleeping, parental
22 engagement, relationships, digital exclusion or positive
23 impacts you would like to touch on before we move on to
24 our final topic?
25 A. No, I think we have covered most of them. As I've said,

1 I probably sound like a stuck record, but if I'm
2 speaking on behalf of childminders, it's very much the
3 emotional disregulation, the delayed speech and language
4 really, the impacts we're still -- you know, we're still
5 looking at, you know, what training courses do we need
6 to provide now to support childminders to in turn
7 support those children and their families who lost out
8 during the pandemic.
9 Q. I think you mentioned, are there any that your members
10 are still reporting, is it the whole list that they're
11 still reporting seeing, or are there specific ones on
12 the list that are sort of rectified?
13 A. It's still mainly those areas that we're focusing on
14 just now.
15 Q. I would just finally like to turn to just look at some
16 of the disproportionate impacts that you mention. You
17 have touched on already community childminding. At
18 paragraph 125, though, you talk about children with
19 additional support needs. Could you please elaborate on
20 the disproportionate impacts on those children?
21 A. I mean, I possibly touched a little on that earlier, in
22 the sense that during the national lockdown, when the
23 emphasis was very much on critical childcare, that it
24 was a mixed experience in the sense that if a child with
25 additional support needs had previously been in the

1 childminding setting before the pandemic, if those
2 capacities reduced numbers for that place to continue,
3 they could get a place, but if that hadn't been the
4 arrangement, they couldn't access support.
5 So it was quite a wide difference in terms of the
6 support that the children with additional support needs
7 could get at that time.
8 Q. You've touched on the importance in rural areas, but you
9 have that down as well at paragraph 126. Do you have
10 any further comments on that in relation to
11 disproportionate impacts?
12 A. Again, I think that's very much linking it in with the
13 childminding workforce. You know, I had mentioned
14 earlier in terms of the cost of cleaning materials.
15 Remote and rural areas, it's quite common unfortunately
16 now, due to the childcare crisis in some areas, for
17 parents having to drive 40, 50 miles to access
18 childcare. The cost of petrol can be dearer. The cost
19 of food can be dearer.
20 What we had found is that just when we actually
21 looked at the decline of the childminding workforce, it
22 was very much more pronounced in remote and rural areas.
23 That was why after the launch of the strategy in 2021,
24 we had three or four remote and rural local authorities
25 come to us, saying: can you help. So since then, we

1 have gone out, we've piloted a new model of childminder
2 recruitment. We prioritise remote and rural areas.
3 That's now gone urban and national. That's very much in
4 response to that pronounced need.
5 Q. Are there any other groups that were disproportionately
6 impacted as a consequence of the lockdown and other
7 restrictions, and not being able to access childminding
8 services?
9 A. I probably wouldn't have much more to say on that. It's
10 probably more childminders themselves who feel there was
11 a disproportionate impact on them, in the sense that
12 when we look at the data in terms of the number of
13 childminders who were involved in delivering funded ELC,
14 we're now only looking at probably about 25%, 30% of the
15 workforce. When we went into the pandemic, the numbers
16 were lower.
17 So when it came, for example, financial support, as
18 I said, funding was confirmed almost immediately,
19 (inaudible) payments for funded providers. When it came
20 to additional relief, transitional support fund, again,
21 the bulk of the funding was for other providers. So I
22 think a lot of childminders reported to us that they
23 felt if you weren't involved in the ELC, there was a
24 disproportionate -- impact on their activities.
25 It was the same, you know, when it came to funding

1 sources when you looked in terms of the UK Government,
2 first of all, they prioritised the job retention scheme
3 and furlough for employers. Then there would be a lot
4 more lobbying to get the self-employed income support
5 scheme. But even when you looked at that, it wasn't
6 what it was sold as, if you like. On the surface, the
7 self-employed income support scheme was supposed to
8 provide about 70% of income. It wasn't, it was 70% of
9 profit.
10 So if you were a low income business, 70% of profit
11 is not much, and the data we have showed that perhaps it
12 was paid quarterly. Childminders were lucky to get a
13 month out of three months. If you were then -- had a --
14 if you were a carer, if you had maternity leave, if you
15 had any interruption in sort of your self-employed tax
16 history, again, it affected the payment you got.
17 So childminders just felt at each turn they were
18 disproportionately affected. With the blended
19 placements I was talking about earlier, again, because
20 nationally, and understandably, the main priority was
21 reopening schools, reopening nurseries, childminders
22 were a much smaller part of the workforce. They kind of
23 felt deprioritised, so when it came to even looking
24 getting schools reopened, of course that was a priority.
25 But what they needed was support in blended placements.

1 That wasn't there at the time. So that was -- we had to
2 keep pushing. So I think they just -- as a workforce,
3 childminding does feel disproportionately impacted.
4 Q. Thank you. Are there any other matters or lessons to be
5 learned that your members would want to draw to the
6 Inquiry's attention, because I think we have covered
7 everything that I had intended to cover with you.
8 A. In terms of lessons learned, there was quite a lot for
9 us around communications, in the sense that as I said
10 earlier, we recognised that communication vacuums can be
11 dangerous. It was really challenging for the Scottish
12 Government and others because they didn't have access to
13 the normal press channels. So, you know, if you're a
14 Scottish Government director, you're trying to get
15 something out, you had two options. One was the First
16 Minister's daily televised briefing, and there's massive
17 competition from every policy area, or you had what was
18 called a private update which was an electronic
19 newsletter from the Care Inspectorate.
20 So the Scottish Government found it really
21 frustrating. They couldn't get the information out. So
22 we channelled a lot of that for them. So I think it was
23 important for us that, you know, we have changed as an
24 organisation in the sense that we didn't have the
25 answers, but we reassured people would get them. I

1 think there is much more openness, you know, in a sense,
2 that we have seen that since the pandemic, that people
3 were willing to admit that perhaps we did things wrong.
4 I think for us, the other challenge, and it was
5 really difficult was that by default, the Scottish
6 Government, prior to the pandemic, the main childcare
7 priority had been expansion of funded ELC. There was a
8 statutory duty and responsibility on local authorities
9 to deliver that by August 2020. The pandemic struck
10 just a few months before that. So that statutory duty
11 was removed, but understandably the Scottish Government
12 was keen to bring that back on. But for childminders,
13 you know, what they were reporting to us was that they
14 just felt at each stage of the process that I have
15 articulated, that the priority was very much given to
16 funded providers.
17 And it was very much -- it was difficult to balance,
18 because there was regular discussions about: when do we
19 think we will be able to re-introduce the statutory duty
20 on local authorities, can we do that. It just felt at
21 times that the desire to complete the delivery of the
22 expansion of ELC dominated some of the decisions, some
23 of the discussions that were taking place. And
24 certainly childminders do feel that if you're not
25 involved in delivering funded ELC, that they lost out at

1 each turn, whether it was financial support or other
2 areas. So I suppose from our point of view, it's
3 probably just recognising the challenge, you have a
4 policy to deliver, but also looking at the whole
5 workforce and trying -- not necessarily prioritising one
6 group.
7 MS VAN DER WESTHUIZEN: Thank you very much. My Lord,
8 unless your Lordship has anything, I have no further
9 questions.
10 THE CHAIR: Thank you very much indeed, Mr McAlister. We're
11 very grateful for your evidence. We'll take a break now
12 and we'll come back at 11.30, and we're going to hear
13 I understand, Ms van der Westhuizen, a panel of
14 witnesses, three witnesses.
15 MS VAN DER WESTHUIZEN: That's right, my Lord.
16 THE CHAIR: Very good, 11.30 then.
17 (11.08 am)
18 (A short break)
19 (11.30 am)
20 THE CHAIR: Good morning again, Ms van der Westhuizen. So
21 as you told us, we have a panel of witnesses.
22 MS VAN DER WESTHUIZEN: We do, my Lord. We have three
23 witnesses, and all three are former presidents of the
24 National Union of Students Scotland. We have Mr Liam
25 McCabe, Mr Matt Crilly and Ms Ellie Gomersall.

1 MR LIAM MCCABE (called)
2 MR MATT CRILLY (called)
3 MS ELLIE GOMERSALL (called)
4 Questions by MS VAN DER WESTHUIZEN
5 THE CHAIR: Good morning to you all.
6 THE PANEL: Good morning.
7 MS VAN DER WESTHUIZEN: I have partially introduced you, but
8 if I could ask you, perhaps starting with Mr McCabe, to
9 just introduce yourselves, giving your full names and
10 the years in which you were presidents?
11 LIAM MCCABE: Yes. My full formal name is William John
12 McCabe, known as Liam McCabe, and I was president of the
13 National Union of Students Scotland between 2018 and
14 2020, so just catching the last four months -- so the
15 first four months of the pandemic.
16 MATT CRILLY: Good morning. Matthew or Matt Crilly. I was
17 NUS Scotland president formally between July 2020 until
18 July 2022.
19 ELLIE GOMERSALL: Morning. My name is Ellie Gomersall, and
20 I was the president of the National Union of Students
21 Scotland from July 2022 to June 2024.
22 Q. Thank you. Ms Gomersall and Mr Crilly, you were both
23 students as well for part of the time, so if you could
24 please let his Lordship know where you were, what you
25 were studying, and I think you were presidents of your

1 respective student unions as well?
2 ELLIE GOMERSALL: Yes, that's right, so I was a physics with
3 education undergraduate student of the University of the
4 West of Scotland, started in 2018, and then I took a
5 break from my studies in summer 2021, and from July 2021
6 until June 2022, I was president of the UWS students'
7 union.
8 MATT CRILLY: Yes, so along -- I was president of the
9 University of Strathclyde student association until my
10 election in the spring of 2020 to the NUS Scotland
11 position, but alongside holding the role of NUS Scotland
12 president during the pandemic, I also was a postgraduate
13 Masters student in history at the University of
14 Strathclyde, and I completed my dissertation during the
15 pandemic as well.
16 Q. Thank you. So for the two of you, you'll presumably
17 bring your perspective as former presidents, but also
18 your perspective of having been students at the time as
19 well. If I could ask Ms Gomersall just to start and
20 sort of set the scene to tell us -- explain NUS's
21 membership, how many members, what the structure looks
22 like and...
23 ELLIE GOMERSALL: Yes, so the National Union of Students
24 Scotland is part of the National Union of Students
25 across the UK, and NUS UK is a membership organisation

1 made up of student associations and student unions. So
2 it's the student union or the student association which
3 is the member of the National Union of Students in
4 Scotland. So that would be the student associations for
5 any college or university across the country, as well as
6 the National Society of Apprentices as well, which
7 represents apprentices across the UK. In Scotland, NUS
8 Scotland had throughout, I think, all of our terms as
9 president, 100% membership among the college student
10 associations, and among the university student
11 associations, all bar, I believe, four of the university
12 student associations across Scotland were members
13 throughout our times as president.
14 Q. Thank you, and in terms of the ones that weren't, what
15 engagement was there, if any, with them?
16 ELLIE GOMERSALL: I would maybe ask Matt to come in on this
17 one.
18 MATT CRILLY: Yes, of course. So we had strong engagement
19 with those student unions that were not NUS Scotland
20 members. We are traditionally a membership
21 organisation, but of course with the onset of the
22 COVID-19 pandemic, you know, we realised that there was
23 a real need to disseminate information, public health
24 information, to ensure that we're bringing people in.
25 So we held weekly or fortnightly officer calls which --

1 of student officers around the country, bringing them
2 together, and again there was invitations extended to
3 those student unions that were non-members of NUS
4 Scotland. And so too when we had official engagements
5 with the likes of the national clinical director, for
6 example, who would come in and provide public health
7 advice to students, we would invite in the kind of
8 non-NUS member student associations, so that really all
9 student officers across Scotland got access to that
10 really critical public health advice, but also some of
11 the kind of government engagement too, at that time,
12 just recognising the kind of special circumstances of
13 the pandemic.
14 Q. Thank you, and just in terms of the numbers of students
15 overall that you were representing, and it may have
16 varied from time to time, but what is the approximate
17 number of students that were --
18 ELLIE GOMERSALL: Approximately 500,000 across Scotland. As
19 I say, NUS Scotland being part of NUS UK would also
20 represent significantly more in the millions across the
21 UK, but specifically in Scotland, the number was around
22 roughly just over half a million.
23 Q. Thank you. If I could ask perhaps Mr McCabe to come in
24 on this one. Effectively, we're going to move through a
25 few subjects of particular interest that have been

1 raised in your respective witness statements, but
2 I think the first one, if I could ask Mr McCabe to talk
3 about your experience, because obviously you were there
4 at the start of the first lockdown, you were president
5 at the time, just to give us a flavour of what the
6 experiences were, what the concerns were, what the
7 practical impacts were on students at that time?
8 LIAM MCCABE: For sure. So as you can imagine, as was the
9 case across, you know, all sectors in all countries
10 affected by COVID, it was incredibly hectic, a lot of
11 confusion, a lot of dismay, in those kind of initial few
12 weeks where everyone was just kind of trying to
13 understand how best to respond just for everyone's
14 immediate safety, before we even got to a place where we
15 were starting to think about how we respond
16 constructively, and understand and getting to grips, and
17 allowing obviously the scientific community to get to
18 grips with what was happening.
19 For further and higher education specifically, there
20 was a few immediate concerns and impacts that kind of --
21 that emerged. The first one, of course, you know, the
22 closure of campuses immediately was a huge
23 consideration. That meant that students who were living
24 in halls of residence and the accommodation on site were
25 kind of almost -- kind of trapped a little bit, if they

1 hadn't, you know, raised their finger to the wind and
2 seen what way the wind was blowing, and decided to move
3 home if that was an option for them hitherto that point.
4 It meant that a huge amount of resource which was
5 crucial and vital to a lot of different kinds of
6 students on campus was simply no longer available
7 because a shift to providing that in a digital way was
8 not something which had been foreseen at that point for
9 a lot of these services, and was not catered for. And
10 also, deprivation of access to a lot of key educational
11 infrastructure of course as well, access to libraries,
12 access to labs, access to workshops and access to like
13 vital pieces of software, for example, that a lot of
14 students might not have had the hardware power to run on
15 their own personal devices for certain courses where
16 such things were required.
17 So between, you know, concerns about ability,
18 ability to kind of access basic necessities and the
19 longer term concerns that then evoked for: well, what is
20 this going to mean for me completing this year of study;
21 and especially for those final year students, or
22 students on one-year courses, or students coming up to
23 the end of a PhD or whatever it would be: well, how is
24 this going to affect my final grade. This was, you
25 know, a huge concern, naturally and understandably.

1 So generally speaking, that would probably have been
2 the main things that came up, you know, and really what
3 my four months at the end of my presidency and working
4 with the government were all about, were trying to kind
5 of really just make sure everyone was safe, everything
6 was secure, and slowly but surely piecing together how
7 we made sure that students could complete their course
8 of study in a way which reflected their ability and
9 didn't reflect unforeseen difficulties arising from
10 COVID, making sure that certain accommodation issues
11 were handled appropriately and sensitively, and in a way
12 which was inclusive of the various needs of students who
13 had outstanding and particular needs, and, yes,
14 primarily those things, and of course looking out for
15 the mental health, wellbeing, physical wellbeing,
16 financial wellbeing of students too, because that was a
17 massive concern.
18 Q. Really you're foreshadowing everything then we saw
19 unraveling in the years to come?
20 LIAM MCCABE: Yes, yes, and I think not to kind of dwell on
21 the kind of -- the foreshadowing for too long, but
22 certainly when it comes to the financial element, that
23 was a huge deal because in, you know, the way I
24 characterised it was that, you know, we were kind of
25 sitting on a kind of a ticking time bomb of student

1 deprivation, just because the sectors that students
2 relied upon for financial support were most impacted
3 upon by COVID. Immediately, just everyone lost their
4 jobs in a flash, not just to supplement their income,
5 but also over the summer, and then also there's a cliff
6 where student -- after which point student support ends,
7 and so with that ending and with no clear plan initially
8 for how that was going to be accommodated for, and no
9 new money available to students during the summer, we
10 were like: how are we going to handle this, what is
11 going to be done about this and, you know, so again it
12 was -- that was an incredibly significant part of my
13 four months at that time.
14 Q. We'll come on to discuss that specifically, the
15 financial impacts, tied in with accommodation.
16 I should, my Lord, just outline what's to follow. I
17 have just realised I haven't foreshadowed that. We will
18 be speaking about the move to online and remote
19 learning. We will then be covering accommodation and
20 financial impacts which Mr McCabe has just touched on.
21 We'll then be covering academic impacts, mental health
22 and well-being and social impacts. Then we'll be
23 covering return to campus and ongoing impacts.
24 Just to say that woven through all those when you're
25 covering your answers, if you could bear in mind

1 disproportionate impacts, but if we don't touch on them
2 during the course of the discussion, Ms Gomersall will
3 sweep up the end with ongoing impacts and
4 disproportionate impacts.
5 Thank you. If we could then move to online learning
6 and remote learning, and just the specific issues that
7 arose around that. I think if we ask Mr Crilly to start
8 and then followed by Ms Gomersall and then Mr McCabe, if
9 you have anything to contribute as well to that
10 discussion?
11 MATT CRILLY: Sure, yes, so I think when the COVID-19 virus
12 started spreading and we saw the closure, so to speak,
13 of campuses, I think people really understood the desire
14 to move to online, when that took place. I think
15 students themselves were -- at the start of the
16 pandemic, were really quite frightened actually about
17 this unknown virus and the potential impact on
18 themselves, their families, their loved ones, their
19 friends.
20 So I think there was a lot of confusion at that
21 point about what learning, teaching, assessment would
22 look like, and I think at that point I probably would
23 pay particular credit to the staff across universities
24 and colleges, that -- the kind of teachers, the
25 lecturers, the assessors, who did make a very quick

1 pivot as best as they could to move to an online
2 environment, and it was a massive shift. It was a
3 revolution, so to speak, in how education in many ways
4 had been delivered, and teachers were put in a place to
5 change learning materials, change the way in which
6 classes were delivered or the way assessments were
7 delivered.
8 So I think there's a great deal of credit to be paid
9 there. I think from the student perspective, there were
10 challenges with online learning, there were challenges
11 around accessibility of online learning and teaching and
12 assessment. We heard very early on from students who
13 didn't have exclusive use of a laptop or a digital
14 device in order to take part in their learning. They
15 would usually under normal circumstance go on to the
16 campus, their college or university campus, have access
17 to a library, have access to a computer or the learning
18 materials they need.
19 But with that move to online learning, you didn't
20 have access to those facilities, and so some students
21 did, some students did have access to laptops and others
22 just simply didn't. We heard quite challenging stories
23 of people with whole families kind of locked down in
24 homes, having to kind of find the space in a corridor
25 and join their class on their phone, because they didn't

1 have exclusive use of a computer, and finding it really,
2 really challenging in that way.
3 I think too, though, we did hear some feedback from
4 some students, including some disabled students, who
5 actually found some of the online learning more
6 accessible actually in some ways as well, but I think
7 overall, it was a really challenging time, and education
8 was being delivered in a totally different way. From
9 the student perspective, you know, the shift to online
10 learning had presented a really -- a different life to
11 students.
12 So if you're a student, you're, you know, you often
13 enroll on a course to develop many of the soft skills
14 that come through education too, so confidence building,
15 presentation, you perhaps meet lots of different people
16 that you have never met before. You maybe take on some
17 of the additional life experiences that is sometimes
18 associated with being a student, so you might move out
19 for the first time in your life, you might meet your
20 life partner and all these sorts of things.
21 I suppose with the kind of move to online learning
22 through the pandemic and the lockdowns, students didn't
23 necessarily have those life opportunities too, those
24 social opportunities, those opportunities to expand
25 their kind of whole being, although they did, often

1 again, due to the hard work of, I think, college and
2 university staff, they often did get access to some of
3 the learning online.
4 Finally, I suppose one of the key challenges during
5 the pandemic was whether or not courses can be delivered
6 in an online way. So there were some subjects where
7 that was easier to make that transition, some of the
8 humanities subjects, for example, which I was a student
9 in. It was somewhat easier to transition in to an
10 online environment in some cases.
11 But for those students who were studying more
12 practical based courses, it was very, very hard, very
13 hard to train -- to take part in a hairdressing course
14 at college online. It was very difficult to learn to
15 become a dentist, to train to become a dentist. It was
16 difficult if you needed access to laboratories etc etc,
17 and that's where there was particular challenges through
18 the pandemic, ensuring those students were supported.
19 Q. Thank you.
20 ELLIE GOMERSALL: Yes, first of all, I think Matt has summed
21 that up really, really well, actually, and I will just
22 maybe take a bit of a deep dive into a couple of those
23 points. So I think, first of all, around the
24 accessibility issue and actually different students
25 having different experiences of the pandemic, which I

1 think is a particularly important issue, because then it
2 widens the gap between different groups of students, and
3 actually it means that it's a lot harder to identify,
4 for instance, which students are -- you know, whether or
5 not students are actually getting the grades that they
6 deserve, for example.
7 So some students actually really thrived with being
8 able to learn online, so disabled students, for example,
9 who had real issues in terms of accessing a physical
10 campus, being able to actually just travel to campus,
11 being able to afford to get things like the bus or
12 public transport to travel there. Actually a lot of
13 those issues were all of a sudden mitigated by being
14 able to learn from your home.
15 That's really good for those students. But then
16 actually a lot of students really, really struggling
17 with that move to online, particularly around things
18 like mental health challenges, that isolation, that
19 loneliness, and the challenges that arise as a result of
20 that.
21 Actually also just in terms of it's a lot harder,
22 and I agree with what Matt said in terms of just paying
23 credit to those teaching staff who really adapted just
24 so phenomenally, but it is much harder for a lot of
25 those, especially those who hadn't taught an online

1 class before, to actually keep that interactive and
2 engaging. As a result, a lot of students who were
3 neurodiverse, for example, actually really just
4 struggled in terms of being able to engage with, for
5 instance, a three-hour lecture that's just staring at a
6 screen for three hours versus what might be in a
7 classroom, in a lecture hall, where you can have
8 discussions with people during breaks and things like
9 that, that makes it more interactive.
10 Some other groups of students had other impacts in
11 terms of being able to learn from home. So, for
12 example, as Matt said, often going to university or
13 college for the first time in particular can be a really
14 sort of liberating experience in terms of finding out
15 who you are, building those social skills. That's often
16 a time where, for instance, many LGBT plus students
17 might come out, for example, or might start exploring
18 their identities.
19 As a result of many students having to move back in
20 with parents, for example, who maybe they weren't as
21 comfortable being themselves with, that could actually
22 have significant impacts on their mental health and
23 their wellbeing too.
24 So there were a number of different impacts beyond,
25 you know, additionally the impacts around, you know,

1 digital poverty and not having access to a desk, for
2 example, as well as digital devices, that would be
3 really, really challenging.
4 So there were a number of issues there in terms of
5 that real disparity that I think really sort of
6 heightened the gap between certain groups of students,
7 particularly with regards to -- so Matt talked about
8 some of the more practical courses, and again, actually,
9 I think again, universities and colleges to their credit
10 did a really good job in terms of finding innovative
11 ways very, very quickly to deliver these types of class
12 and these more practical classes online, but it simply
13 wasn't the same.
14 So to use my own personal experience as someone who
15 was studying physics, my class, we had lab sessions that
16 ordinarily we would have been in the lab doing an
17 experiment and then writing up a report. Instead, we
18 were watching a YouTube video of the lecturer doing the
19 experiment, and then writing a report based on what they
20 did. It makes it so much harder to actually learn when
21 you're not doing it practically yourself, so there was a
22 particular impact there too.
23 Q. Thank you.
24 LIAM MCCABE: Yes, I suppose just to touch on at the very
25 outset of things how quickly it became apparent that the

1 further and higher education sectors in Scotland simply
2 were not prepared for any kind of meaningful increase in
3 demand, and digital infrastructure under these
4 circumstances. I think there are more precise figures
5 laid out in the statement which I can't summon to mind
6 off the top of my head, but you were finding that even
7 in large universities, you were lucky if there were 100,
8 200 laptops available for rent or hire among students.
9 If you're looking at some of the larger universities
10 where you're looking at 19,000, 20,000, 22,000, 25,000
11 students, that's just not going to touch the sides of
12 what was required. So the infrastructure simply wasn't
13 there for that move, and not only that, a number of --
14 there was scant few institutions who had any kind of
15 meaningful experience or practice in digital provision.
16 You're looking at kind of like, you know, University of
17 the Highlands and Islands, for example, who use a lot of
18 digital provision because they have to, because of the
19 large geographical space. You're looking at obviously
20 the Open University, institutions like this.
21 Most universities did not have, and I'm sure there
22 were others who had more experience in that, but those
23 are the two that jump most to mind, perhaps for obvious
24 reasons, but most institutions didn't have that
25 experience, and so that's why I would just like to add

1 my voice to Ellie and Matt's in terms of commending how
2 quickly lecturers, tutors and all educational staff kind
3 of really bent themselves towards trying to deliver as
4 effective a digital education as they possibly could, on
5 essentially an improvisational basis because they
6 themselves had not been given training for that.
7 You know, even in some cases access to the software
8 required for that kind of thing just simply wasn't in
9 place, and the quickness with which they were -- the
10 willingness they demonstrated to just try and do
11 something, the right thing, the best thing they could
12 possibly do for as many of the students as possible was
13 commendable, but certainly that would be the main thing
14 from those that really -- I was really taken aback by as
15 NUS Scotland president in those first four months, just
16 how poorly provisioned Scottish colleges and
17 universities were, when it came to actually providing
18 the facilities that students required, when as has been
19 mentioned previously, they couldn't access a library,
20 they couldn't access a lab, they couldn't access the
21 software they usually would have access to. But I'm
22 sure we can touch on -- I'm sure we will touch on what
23 the implications for that were on attainment and things
24 like that as well as we progress.
25 Q. And you made a good point there as well about the --

1 certain universities being set up for it, because one
2 thing we have heard is that online learning is something
3 specific; remote learning is really what was happening.
4 Online learning is something that's designed to be
5 delivered online, not an ad hoc emergency --
6 A. Totally different pedagogical approach, yes.
7 Q. If we could then maybe turn to have a discussion about
8 financial impacts and accommodation. Obviously that
9 encompasses a multitude, so I will leave it to you to
10 decide what the main impacts were from your
11 perspectives, but yes, you touched on initially about
12 the exacerbation of existing poverty and job loss, but
13 then there's the housing aspect as well. So I don't
14 have a note of who would go first on this, but perhaps
15 we can start -- do we have an indication of who
16 would like to start? Mr Crilly?
17 MATT CRILLY: Yes. I think, as Mr McCabe touched on at the
18 start, there was an accommodation impact at the outset
19 of the COVID-19 outbreak, insofar as students living in
20 purpose-built student accommodation did not have the
21 legal right to provide notice to terminate their
22 contract in that accommodation.
23 So at the point of the pandemic where many people
24 were frightened, and maybe wanted to travel back and be
25 with loved ones or family or get to a kind of safe

1 location, students living in purpose-built student
2 accommodation didn't have that -- didn't have the
3 ability to terminate that contract and give notice to
4 leave. They were effectively tied into accommodation
5 contracts which would run more or less slightly
6 concurrent with the academic year. So in the kind of
7 springtime, they would be tied into a contract until,
8 say, July or August or September, they would often be
9 tied into.
10 So that was one of the initial challenging points
11 where people had that financial burden, students faced
12 that financial burden of having to pay rent on
13 accommodation that they were no longer living in. But
14 thankfully, due to the concerns raised by students,
15 initially some accommodation providers, often the
16 university-owned accommodation, provided the ability for
17 students to leave and essentially waived that contract.
18 Then the Scottish Government, through support with
19 Ross Greer MSP, introduced a right through the temporary
20 coronavirus legislation for students to give notice.
21 Regarding the wider financial impacts of the pandemic,
22 these were incredibly stark, and I think often if we
23 think about students in a kind of education context, but
24 as we kind of paint a picture of some students being in
25 a corridor, or maybe a childhood bedroom, trying to

1 access their courses, at the same time, they had lost
2 out on the employment opportunities that they would
3 typically have, be that working in cinemas or
4 hospitality or retail, or -- all the parts of the
5 economy where students really rely on for additional
6 income, because as Mr McCabe said, the reality is that
7 the students' support loan system, grant system in
8 Scotland, does not actually cover the ability for
9 students to survive and to live.
10 You have to supplement that with additional
11 part-time and sometimes even full-time work in addition
12 to your studies. Therefore, students faced a remarkably
13 challenging financial situation, whilst also facing the
14 kind of health context of the coronavirus spread, and
15 then the fear that came through that, the isolation of
16 lockdown. Then on top of that trying to complete your
17 studies, because, you know, there's a career or a life
18 path that you want for yourself.
19 So they're under enormous pressure, and often in our
20 engagement with students, they were focused less
21 actually sometimes on their academic challenges, and
22 were focused more on the financial pressures that they
23 were facing, because quite simply, they couldn't afford
24 to pay their rent or kind of keep their home warm.
25 So from an NUS Scotland perspective, we helped raise

1 the voice of students through the pandemic, through kind
2 of, you know, drawing awareness of Scottish Ministers to
3 the challenges that students were facing, to conduct the
4 research and putting that research out into the public
5 domain, so that the -- society was aware of the
6 financial pressures which students were facing. There
7 was some additional monies provided to students through
8 discretionary hardship funding pots that were allocated
9 to their university or college to then distribute out to
10 students.
11 ELLIE GOMERSALL: Yes. If I may come in on that point in
12 particular, so with regards to the hardship and
13 discretionary fund, this was something that I know a lot
14 of students in particular during COVID were able to
15 benefit from, and actually some of the rules around
16 those hardship funds were changed, which meant that some
17 international students who wouldn't ordinarily be able
18 to access discretionary and hardship funds were able to
19 do so during the pandemic.
20 However, one of the real challenges with hardship
21 and discretionary funds is that, as Matt said, it would
22 be up to the university or college in terms of
23 distributing those. There would still be a process in
24 which that student would have to apply for those funds.
25 That presents a real barrier to a number of students who

1 may be in absolute sort of destitution, but still
2 wouldn't apply for a hardship fund for a variety of
3 different reasons.
4 A number of reasons cited by some students, and this
5 is primarily anecdotal, but a number of students would
6 say: there's going to be someone who needs it more than
7 me. So it would be publicised, you know, how much money
8 is going into that fund, and so it's a fixed pot, so
9 students who actually are really, really suffering
10 think: I'm not going to apply for that because someone
11 else needs it more.
12 Also just the process of applying could be
13 particularly difficult for a number of students, so as I
14 say, the process varied from institution to institution,
15 so it wasn't a sort of joined up application form, but
16 often they would require things like bank statements,
17 proof of your income, things like that, actually some
18 students might simply just not want to give their
19 university or college their full bank statements to show
20 them everything that they have been spending. Other
21 students might not be able to access that.
22 So with banks being closed, if a student, for
23 example, actually isn't able to access a laptop or wifi
24 because they don't have enough money, then the process
25 for them to be able to get that money would require them

1 to have a laptop or the device to be able to apply for
2 the fund and gather all the evidence that they would
3 require for that, which could also be quite a
4 time-consuming process, when they're also perhaps
5 working significant hours alongside their studies.
6 You see the real sort of combination of impacts that
7 meant that while those hardship and discretionary funds
8 were very, very welcome, actually they didn't manage to
9 reach all the students who needed them.
10 With regards to the students -- the impact in terms
11 of employment, as both Matt and Liam have said,
12 primarily students will be working in retail
13 hospitality, and those were two sectors which were
14 particularly affected. But actually, in terms of the
15 way that students engage with those sectors as well
16 might be somewhat different to the general population.
17 So, for example, a high prevalence of zero hours
18 contracts, which would mean that things like furlough
19 payments might actually not quite reach them in the same
20 way as they would other members of the population; and
21 the nature of the way in which students would typically,
22 you know, might be having more hours during the summer,
23 versus fewer hours during term time. When the pandemic
24 hit in March, chances are they hadn't been working,
25 certainly not as many hours as they might have been in

1 the summer, and so that would mean that any furlough
2 payments that they might get would actually be based off
3 of how much they had been working during that period
4 rather than during the summer.
5 So then come the summer, there wouldn't be
6 opportunities for students who would be perhaps
7 unemployed the rest of the year, and then would get a
8 job during the summer, but also those students who might
9 just have a job year round, but vary the hours, their
10 payments wouldn't go up in the summer from furlough
11 because it would still be based off of the hours that
12 they were working beforehand. So that would be a
13 particular challenge for students, particularly in the
14 hospitality sector. In the retail sector, again, it
15 might well be the same in terms of some aspects of the
16 retail sector.
17 In some other aspects of the retail sector, things
18 like supermarkets, for example, actually a number of
19 students, because perhaps older members of staff within
20 those supermarkets and other retail shops might be then
21 sort of self-isolating, taking themselves out; actually
22 a number of students ended up taking on more hours
23 during the pandemic working in that space. As Matt
24 said, that could then have a detrimental impact in terms
25 of their studies to students often taking additional

1 shifts just so that they can keep the rent paid rather
2 than attending class, for example.
3 So there were some particular detrimental impacts in
4 terms of finance and accommodation there. Just in terms
5 of accommodation, the other thing that I'll just mention
6 very briefly is when you consider the way that student
7 halls and purpose-built student accommodation, for
8 example, are designed, I think a lot of us, and I'm sure
9 everyone across the country and around the world can
10 relate to the isolation that you feel and that we all
11 felt during lockdown. But when you consider then that
12 actually student accommodation is often designed, the
13 rooms are very, very small, often it's a shared kitchen
14 between 8 or more people, perhaps that actually they
15 would be told that you can't all be in the kitchen at
16 the same time, for example.
17 And that's a really quite horrible place to be
18 isolating in, and again, that impact that that has on
19 isolation, loneliness, mental wellbeing, and the impact
20 that isolation, loneliness and mental wellbeing then
21 have on things like your ability to succeed
22 academically; again, you can see just how there's a sort
23 of domino effect of -- yes, really, really affecting a
24 number of students.
25 Q. Thank you.

1 LIAM MCCABE: Yes, just, I suppose, in relation to some of
2 what has been spoken about already, as Mr Crilly made
3 mention of in terms of the purpose-built private student
4 accommodation and trying to get students out of those
5 contracts as quickly as we possibly could with partners
6 in Parliament, these are not inexpensive facilities .
7 And so what we found was that, yes, whilst we did manage
8 in the second piece of emergency COVID legislation, the
9 specific name for which of course is in my statement,
10 they managed to get that in, that was a couple of months
11 down the line by that point, and because of the -- how
12 expensive these facilities often can be for student
13 accommodation, you're talking about comparable to rent
14 in the private sector if not usually higher.
15 So by the time we get some of those students out of
16 those contracts, they were already several hundred
17 pounds out of pocket for accommodation that they didn't
18 use, if not perhaps in some cases, the more expensive
19 end, in excess of 1,000 easily and upwards. So that
20 will naturally have an impact on students and their
21 finances under those circumstances as well.
22 I think in particular what I wanted to touch on,
23 just off the back of what has already been said, was in
24 regards to the distribution mechanism for the support
25 that the government was bringing to the fore, one of the

1 main things that I negotiated with government at the
2 beginning of the pandemic was for additional monies to
3 be brought forward, you know, again, the precise
4 breakdown of which is available in my statement, but it
5 roughly came to about 21 million worth of -- some of it
6 expedited, some of it new, most of it expedited, a small
7 amount of it new.
8 But what we were saying to the government at that
9 time was we would prefer to see in a lot of those cases
10 an extension of bursary provision as it existed under
11 current parameters into the summer months, rather than
12 utilising the distribution mechanism of hardship and
13 discretionary funds, largely for the reasons that
14 Ms Gomersall laid out in great detail, whether it was,
15 you know, a level of discomfort of revealing personal
16 financial expenditure, a feeling that people may need it
17 more etc etc.
18 We understood ultimately that the government
19 thought, you know, well, there might be some
20 difficulties and some legislative hurdles and some
21 regulatory issues with SAAS and other public bodies like
22 that, in terms of extending these existing things, these
23 existing bursary mechanisms beyond their natural life
24 cycles that, you know, would be difficult, and it might
25 be more pragmatic -- sorry for touching the microphone

1 there -- might be more pragmatic to use the distribution
2 mechanisms which exist locally, but that led then
3 potentially to a situation where it was disadvantaging
4 particular kinds of students, putting certain kinds of
5 students off, and again, certainly for the four months
6 that I was in place, there was at that time, to the best
7 of my recollection, no provision for the possibility
8 that international students could access those funds.
9 I think there was scarcely a hardship or a
10 discretionary fund available in any institution, college
11 or university where international students had any kind
12 of access to that funding. That's something which came
13 much later down the line. And so we did raise
14 objections and concerns about a lot of these things.
15 Don't get me wrong, the government were understanding
16 of, and they did hear those concerns, and of course they
17 did take what I thought ultimately was a pragmatic
18 approach to just getting money out as quick as they
19 possibly could under difficult circumstances, not to
20 kind of allow the perfect to be the enemy of the good.
21 But there were certain occasions, certainly even
22 just in those first four months where you were engaging
23 earnestly and in good faith with the government, and 99%
24 of the time you felt you were getting the exact same
25 back, but it just felt that certain things were being

1 heard but not heeded.
2 You know, I think ultimately that arises from the
3 reality of the pandemic. There was scarcely a
4 government anywhere in the west at least who had
5 adequate plans in place to respond to this across any
6 kind of sector, never mind further and higher education
7 which is incredibly complicated.
8 But it did mean that we were throwing a lot of
9 things at the wall and seeing what stuck, and then just
10 try and make up -- fill in the gaps, sort of with what
11 they could thereafter, and that's something I think that
12 we hopefully take from this Inquiry going forward, about
13 how we actually build in ways of responding more quickly
14 to these kinds of shocks. Because ultimately, you know,
15 as I am sure we'll touch on perhaps later on, the
16 further and higher education sectors in Scotland prior
17 to COVID and if COVID had not even happened, were -- are
18 incredibly vulnerable to any kind of international
19 economic shock, because of the increasing reliability,
20 especially in the university sector, on international
21 student fees to kind of make the whole system work. And
22 the fragility that's been built in, as a result of low
23 public investment, means that whether it's the pandemic
24 or something else, there will be needs to respond to
25 these kinds of shocks in future, if we're not careful,

1 and if we're not careful, they will manifest some more
2 problems.
3 Q. Thank you very much. I think if we could then turn on
4 to discuss academic impacts, and in particular the
5 impacts on learning and assessment, but included in
6 that, you've already touched on practical subjects, so
7 whichever the key impacts were in relation to academic
8 impacts, if we could spend some time on that now, and we
9 can perhaps start with Mr McCabe and work our way down
10 the line?
11 LIAM McCABE: Sure. So as I alluded to earlier, one of the
12 main issues that arose in those four months, the
13 immediate questions that needed to be answered was how
14 are we going to calculate what students' final grades
15 are, and what are, at the very least, if not the final
16 grade for their qualifications, what their final grade
17 is going to be for the year, and what that will then
18 augur for their final grades down the line.
19 As you can imagine, students were greatly exercised,
20 to put it diplomatically about this on campuses, after
21 having put in, after doing an undergraduate degree, four
22 years of really, really hard graft, pouring themselves
23 into their studies only to potentially find that because
24 of COVID and not being able to access this, not being
25 able to do that, not being able to do this particular

1 part of the course in a way that was initially intended,
2 that they might find themselves with a lesser degree,
3 and therefore have potentially longer-term less
4 employability as a result of that.
5 Because of all those concerns, you know, that was
6 front of mind for students and among the membership, and
7 so I did work quite hard with government and with
8 stakeholders and other parts of the education sector to
9 try and, you know, find some way of resolving this.
10 Now, for the most part, to the best of my
11 recollection, colleges, I think, were very, very quick
12 and, you know, were very quick to, and very open about
13 the fact that they were not -- they were going to pursue
14 something called a policy of no detriment or no
15 detriment policies. Essentially it does what it says on
16 the tin, the idea being that we recognise that COVID was
17 unforeseen, we recognise it has inhibited people's
18 learning, irrespective of your course, to varying
19 degrees, and therefore we are going to make do whatever
20 we can using various different mechanisms, to try and
21 get in place a way of calculating your final grade which
22 is going to be reflective of your ability and not
23 reflective instead of the unforeseen circumstances that
24 were thrust upon you.
25 Several universities similarly were good at this

1 too. There were a lot of really good and really
2 generous no detriment policies out there. Some
3 universities, for example, were saying: the way that we
4 will accommodate for this is we will take your worst
5 module, so that if you completely crashed out of a
6 module because of COVID, we will just take that off your
7 average completely, and calculate it based on this. As
8 you can imagine, various different universities had
9 various different approaches. Sometimes they had
10 several approaches. They would use the one that best
11 worked for that student to get them the best final grade
12 they possibly could. All of that was really admirable.
13 But what was disappointing was the inability of the
14 sector to cohere around a unified position on policies
15 of no detriment. This was a particular issue with
16 universities, and some of the more elite universities,
17 Russell Group universities in particular, generally
18 speaking, they all had good no detriment policies, in
19 fact they had some of the more generous no detriment
20 policies.
21 But when we were going to government and saying, I
22 think reasonably to make sure that we could quell the
23 concerns of students, ease their minds, give a guarantee
24 to students across all of Scotland: don't worry, we
25 recognise this, and all colleges, all universities are

1 going to bend themselves entirely towards making sure
2 that you get the best grade possible. Just to give
3 everyone the reassurance of that guarantee, there was
4 not necessarily an agreement on how to do that. I think
5 again, colleges in particular, there was no concerns
6 there, many universities were quite all right calling
7 their policies no detriment policies, but some
8 universities, I think out of a fear of being perceived
9 to be soft touch, perhaps, or undermining a perception
10 of academic rigour, which I think should not necessarily
11 have been the priority at that time, given the
12 unforeseen circumstances, even if they had an incredibly
13 decent no detriment policy, refused to call it a no
14 detriment policy, and would not then through their
15 representative bodies at the national level commit to a
16 unified statement or position colleges, universities,
17 government, National Union of Students on no detriment.
18 That was vexing. That was really vexing, because
19 ultimately what we didn't want is for students to feel
20 like it was going to become a postcode lottery, where
21 depending on which college or which university you were
22 at, you might or you might not get a good no detriment
23 policy. You might or might not get, you know, the kind
24 of support to get the best grade you possibly could
25 under the circumstances.

1 That's probably one of the examples where again, I
2 felt like I was very clear to the best of my
3 recollection with government, with senior civil servants
4 who I spoke to on a bi-weekly basis, the minister who I
5 spoke with on a bi-weekly basis, that this is something
6 that will go a really long way to providing peace of
7 mind to students, when peace of mind was not easy to
8 find under the circumstances; and I almost felt there
9 was a calculation made, that this was a battle that they
10 weren't willing to pick with this particular group of
11 stakeholders, and were just going to let universities
12 and colleges go off and do their own thing and say their
13 own thing to students.
14 That did cause concern, because one of the things,
15 as has been touched on earlier, one of the first things
16 I did in the first couple of weeks of the pandemic was
17 start the all-officer meeting that met weekly so we were
18 getting up-to-date, weekly, kind of, you know, weekly
19 touching base with officers all across the country at
20 all levels, affiliated unions and nonaffiliated unions
21 about what was going on. That was coming from almost
22 every direction; concerns about attainment, concerns
23 about access to assessment, about final grades, about
24 how things were going to be marked, if exams were going
25 to go ahead, whatever it would be.

1 I just felt that there was a little bit of failure
2 in that respect on the part of the government to kind of
3 say: no; and put its foot down and say: we need to come
4 by a unified statement on this. I think in the end,
5 ultimately, because all the colleges and universities
6 were trying to do something, and they all mostly did get
7 to that place eventually on their own, the real impact
8 of that was not as severe as it otherwise could have
9 been, but ultimately it caused unnecessary dismay,
10 because there was a lack of willingness to challenge
11 some stakeholders to come to the table and find
12 agreement, which, like I said, was vexing.
13 Q. Thank you, Mr Crilly?
14 MATT CRILLY: Yes, I suppose I arrived in the post in
15 July 2020, formally having been elected in the spring of
16 2020 just before the first lockdown and having been at
17 the University of Strathclyde student union. As
18 Mr McCabe has touched on, at the outset, students were
19 just totally confused as to what was happening. They
20 were like: what, I have done 90% of my course, I'm now
21 being put into, you know, we're going into a lockdown,
22 I'm scared about our health and wellbeing, and I have
23 got to think about this exam which is now no longer
24 taking place in person, it's been moved online, but
25 I don't have access to a library to do it, so what is

1 happening to my grades?
2 That was really the kind of initial concern, and as
3 Mr McCabe has given a kind of broad overview of the idea
4 of no detriment, so that for students who had clearly
5 demonstrated against the learning that comes in their
6 course, and had done their course for -- 90% of their
7 course prior to the pandemic. They had demonstrated
8 their learning outcomes, and therefore you could pursue
9 things like a no detriment policy.
10 It got slightly more challenging with courses that
11 were reliant on external accreditation bodies, so if a
12 course was handled more locally at the college or
13 university, with a teacher who was in front of their
14 class, and knew, you know, what their students were
15 facing on the -- at the coal face, there was a bit more
16 flexibility there and there was more -- there was a
17 greater ability to give students a degree of certainty.
18 Where courses were reliant on external accreditation
19 bodies, that certainty often didn't come, or if it came,
20 it came really, really late because there was a much
21 broader kind of background bureaucratic process that had
22 to take place for general agreement on how to proceed.
23 I suppose my experience started in formally NUS
24 Scotland July 2020 and it moved on. It got more
25 difficult as the pandemic went on to offer students

1 reassurance in these ways, so things like you could give
2 a degree of reassurance for those final year students in
3 the spring of 2020 as an example. That got a lot harder
4 later on when we were talking about another year of
5 restrictions , and where students were maybe in their
6 second and their third year or just halfway through
7 their college course. It became more difficult to kind
8 of track, and that's where, I suppose, the ——
9 particularly those students that were on the more
10 practical courses, it was tough, you know, I would take
11 calls with students who were scratching their head about
12 what it is they were supposed to do.
13 So they were putting in a tremendous amount of work
14 to complete their assessments that were given to them,
15 their course work, and they were doing it under the most
16 incredible circumstances, much more difficult
17 circumstances actually than kind of pre—pandemic,
18 because they were dealing with all the wider context of
19 COVID, but they felt like, you know, our —— you know,
20 I'm at college, will the university accept my
21 qualification , will employers think my qualification is
22 valid .
23 Then you also heard from people who felt frustrated
24 at not getting access to the kind of practical teaching,
25 and maybe didn't feel like they had that degree of

1 confidence actually too, because, okay, they had done a
2 lot of the online study, but hadn't had access to the
3 kind of practical experience, and therefore did feel
4 that —— that lack of confidence and kind of progressing
5 forward. There was a lot of work done there, I think
6 throughout at the pandemic, NUS Scotland, we were
7 really , really cautious about ensuring the safety of
8 students and the safety of our communities and ensuring
9 that, you know, the kind of wellbeing and the promoting
10 of the public health messaging.
11 I think where we were kind of discussing, and I'm
12 sure we'll come on to it when we turn to campus, was
13 that there was often needing a degree of priority for
14 those students where the courses were more or less
15 entirely practical , or a lot of the learning took place
16 on a practical basis. There were challenges around how
17 assessment would be delivered. So again, you found that
18 again sometimes related to whether or not a course
19 was —— had an external accreditation body where ——
20 through different points, even when we were under
21 different coronavirus restrictions , there was maybe a
22 move to have an exam in person, because that's how it
23 had always taken place.
24 So you had to get people back in person to sit down
25 at a table, so that they could be monitored etc. So

1 there was a degree sometimes of kind of falling back on:
2 that's how it has always been done so we need to get
3 back to that as quickly as possible; even though the
4 virus was still spreading and students were still a
5 little bit anxious about going back in person. We often
6 heard concerns about that where people were worried
7 about the virus, but, you know, their assessment had
8 been scheduled to take place in person, and they felt
9 anxious about that as well.
10 ELLIE GOMERSALL: I'll try and keep it super brief and not
11 repeat anything that has already been said. I think the
12 key things that I think I wanted to focus on, in terms
13 of many of the impacts around assessment in particular,
14 are going back to that idea that many students were
15 impacted by the pandemic quite differently, and in some
16 ways, if everyone had all been affected a lot, but at
17 least everyone was affected the same amount, that would
18 perhaps make things a little bit easier, because then
19 you can sort of adjust accordingly. But because
20 different people were affected in different ways, I
21 think that makes it really , really challenging. It
22 meant that no detriment policies had to be able to be
23 adaptable for different students' circumstances.
24 I think one of the issues around the PSRBs,
25 professional statutory and regulatory bodies, meant that

1 you might have most students in one particular
2 university , for example, who actually the university has
3 taken one particular approach to assessments. So, for
4 example, moving away from timed exams, moving more
5 towards the sort of coursework model, which actually a
6 lot of universities were moving more towards
7 pre—pandemic anyway.
8 But then you might have one PSRB, one regulatory
9 body that says: no, you have to have an exam in order to
10 have your degree accredited by this body. Therefore the
11 university would then have to put that provision in
12 place, and the no detriment policy might then affect
13 those different students differently . You might even,
14 in some circumstances, you might have multiple courses
15 within —— you know, similar courses within an
16 institution that share modules where one of those
17 qualifications is accredited by a PSRB, and another
18 isn't, but because they share modules, they all have to
19 be examined in the same way.
20 So someone whose qualification wouldn't even be
21 accredited by the PSRB would still have to have the
22 stricter exam regulation under the PSRB rules for the
23 qualifications that it shares a module with. So you can
24 see how actually, it just meant that there was a lot of
25 uncertainty, and it meant that any sort of policies , any

1 adaptations that were being designed by an individual
2 university which could well be a postcode lottery, had
3 to be really able to adapt to the different
4 circumstances of the different students. I don't think
5 it would have been possible to have come up with
6 necessarily a policy that would have succeeded at that
7 in every single regard.
8 Some of the requirements by PSRBs and some
9 universities in terms of the way that they did
10 assessments, for example, you know, many as I say moved
11 just towards coursework. Some moved more towards
12 saying: okay, here's the exam paper, you have got a week
13 to complete it. Some would say: here's the exam paper,
14 you've got two hours to complete it; as it would be if
15 it was a more formal in-person exam, except you're at
16 home. And if you're a student who has got a desk and
17 got access to a computer and all of that, then great,
18 but if you're a student who has got caring
19 responsibilities , the kids might be knocking on the
20 door, you might just not have somewhere that you can
21 actually sit and do that exam.
22 It just widens that gap and it means that those
23 students, particularly working class students, students
24 from most disadvantaged backgrounds, would be impacted
25 disproportionately by that, and as I say, just then

1 finding a way to make sure that those students get the
2 grade that they then deserve, incredibly , incredibly
3 challenging.
4 Q. Thank you very much. Do you have any comments on
5 lessons good or bad and any changes that have been made
6 in relation to learning and...
7 ELLIE GOMERSALL: I think it's interesting at the moment in
8 particular , actually even thinking post-pandemic,
9 because as I say, before the pandemic, actually, a lot
10 of institutions were exploring how they can adapt their,
11 you know, academic provision, how they can adapt things
12 like assessments. We are, I think, starting to have a
13 culture shift , even beyond tertiary education in
14 Scotland, having that conversation about moving away
15 from formal examinations, for example.
16 So some institutions might have been having that
17 conversation beforehand, and I think many of them will
18 have been better prepared for then having to adapt very
19 quickly for the pandemic.
20 There's another interesting thing, I think, in terms
21 of the difference between the way that assessments were
22 done in 2020 versus 2021, because the first lockdown
23 happened at the end of March in 2020. So if you think
24 about it, most institutions would then be having exams
25 in that sort of April/May period, so very, very quick

1 after lockdown, so having to adapt very, very fast, and
2 sort of, you know, often just come up with: okay, what
3 is a solution that we can put in place quickly.
4 Whereas in 2021, it was much more thought through,
5 but actually in some ways that disadvantaged some other
6 students, because in 2020, it was much more likely to be
7 that sort of approach of: okay, we're going to find, you
8 can -- here's the assessment, you have got a week or so
9 to complete it. It was much more sort of lenient, I
10 think in some ways, that many institutions, I'm
11 generalising here, because it did vary from place to
12 place. Whereas in 2021, I think you have much more of a
13 situation where -- because then the universities were
14 then sort of trying to fit more that mould of how
15 perhaps they used to do things before or try to, you
16 know, appease things like the professional regulatory
17 bodies; or thinking about how, as Liam said, that sort
18 of idea of making sure that their degrees were still
19 competitive. They didn't want people to think that a
20 qualification from their university that had been got in
21 those years would be worth less than the same
22 qualification in another year or the same qualification
23 from a different institution .
24 So that, I think, had a lot of challenges. I think
25 one of the key lessons to be learnt is that I think

1 there's a lot of data that does show that, you know,
2 formal examinations aren't necessarily the best way of
3 measuring a student's success. They do
4 disproportionately impact, for example, working class
5 students, and actually those institutions that are maybe
6 going down that different approach, even post pandemic,
7 I think actually if we have got a model that is more
8 based on things like course work, for example, or other
9 forms of assessment, if another pandemic or another sort
10 of major emergency hit, then actually you won't need
11 these big adaptations, because actually we have a model
12 that works better regardless of the mode of study.
13 So I think that's one of the key lessons that
14 actually is -- that we need to be adapting the way we do
15 things even outwith pandemic times, so that when
16 pandemics and other events do hit, we don't have to
17 change as much.
18 Q. Thank you very much. I think if we could then move on
19 and starting with you, Ms Gomersall, again, to mental
20 health and wellbeing and social impacts, so roll them up
21 together, and obviously it's wider than just the mental
22 health and wellbeing, so things like I think you touched
23 on the confidence aspect, et cetera, so if you could
24 please start and we'll work our way back?
25 ELLIE GOMERSALL: Yes, absolutely, and actually I think I

1 have covered some of this already, so I'll try not to
2 repeat any of that, just around -- some of the issues
3 around increased loneliness, isolation, the way that
4 student accommodation is designed, being unable to see
5 people. I think it's important to recognise that --
6 I would certainly consider that we have had a student
7 mental health crisis for a very long time, including
8 pre-pandemic, and when you look at the statistics of
9 students who are experiencing severe symptoms of
10 depression, suicidality, suicidal ideation, things like
11 that, this was a really big issue pre-pandemic too.
12 So then when you add in the combination of, you
13 know, the loneliness and isolation that comes as a
14 result of the pandemic, that exacerbates an already
15 severe problem. One of the good things that the
16 Scottish Government did, again, this was pre-pandemic
17 but I think it had a really positive impact throughout
18 the pandemic, was the provision of mental health
19 counsellors throughout Scottish universities and
20 colleges. So those were funded by the Scottish
21 Government. That was a five-year scheme that I believe
22 first started in 2019, and that came to an end just this
23 academic year in fact.
24 But actually, students being able rather than, you
25 know, we know the pressures that the NHS were facing

1 particularly during the pandemic, access to mental
2 health services and in particular really long waiting
3 lists, and actually, a lot of students were able to
4 access a mental health counsellor on campus. When I say
5 on campus, that might be more likely to have been a
6 virtual appointment, but within the university or
7 college throughout that time, which has a positive
8 impact. Of course, there would still be waiting lists
9 but that would -- still probably shorter than with the
10 NHS more broadly. As I say, that funding has just come
11 to an end now.
12 So if there were to be another pandemic, then there
13 might be a more urgent response that would be required
14 there, in terms of dealing with those particular
15 exacerbations, but actually I think one of the key
16 things that the Scottish Government needs to be doing is
17 looking at the different root causes of student mental
18 health issues more broadly, so that when we have things
19 like pandemics hit, that the exacerbations are perhaps
20 not quite as severe.
21 In particular when you look at the root causes, so
22 the Thriving Learners survey, for example, which I think
23 you have received as part of our evidence, that shows
24 very clearly a link between things like food insecurity
25 and poor mental health among students, particularly

1 around student poverty and the link between student
2 poverty and poor mental health. And as we spoke about
3 earlier on, those things, particularly around poverty,
4 and obviously poverty then has an impact on food
5 security, are massively exacerbated by the pandemic too.
6 So not only did you have student mental health
7 worsened by things like the loneliness and isolation as
8 more sort of direct impacts, but then also those
9 secondary impacts, because the pandemic impacted
10 people's finances, and their financial situation then
11 impacted their mental health.
12 So, yes, I think some of the wider issues in terms
13 of the social impacts. I mean -- and actually this ties
14 into the academic impact as well, because I think a
15 huge, huge amount of the learning that comes from being
16 at college or university, it's not necessarily the --
17 what, you know, someone is standing up in front of you
18 in a classroom and teaching you, it's all the things
19 that happen outwith the classroom, but also those sort
20 of side conversations that you might have within a
21 lecture. You know, having a wee break and then chatting
22 about the material with someone sat next to you to learn
23 and understand more about their perspective on what you
24 have just been taught.
25 All of that disappears during online and remote

1 learning where you're not able to have those sort of
2 side conversations, those more informal, more casual
3 chats with people. That has a real impact, I think,
4 just in terms of your academic ability, as well as of
5 course the social impacts of that.
6 University, particularly if you are a school leaver,
7 you know, often it's the first time you have lived away
8 from home, for example, and building up and developing
9 all of those really crucial social skills that are going
10 to really help you throughout life. We have got a whole
11 generation of students who actually never really got
12 that, and I really worry about the impact there.
13 Then also, I think, the other impact that I think is
14 slightly outwith, you know, I suppose, the direct remit,
15 within NUS during the pandemic, but actually that we're
16 now seeing the impact of, is students who were at school
17 during the pandemic and had their school years
18 incredibly disrupted, and now are sort of flying the
19 nest, going to college or university for the first time,
20 but maybe not having had learnt those social skills that
21 they might have learnt at school otherwise. So you can
22 see how the sort of social element of it, I think is
23 going to have a real knock-on effect actually for years
24 to come, beyond just the pandemic period itself.
25 Q. Thank you. Mr Crilly?

1 MATT CRILLY: Yes, Ms Gomersall, I think, has covered a lot
2 of the impacts to a large degree. As kind of touched
3 on, it really exacerbated some of the challenges that
4 already existed around student mental health. I did see
5 through my time as NUS Scotland president, those, again,
6 kind of publicly funded counselling and mental wellbeing
7 facilities for students. Again, a lot of them did pivot
8 to online delivery as well, which was a positive
9 development, you know, when the lockdowns occurred.
10 Just regards to mental wellbeing support, and I know
11 we'll come to return to campus, but there were
12 particular challenges for those students that were in
13 student accommodation, so where there were coronavirus
14 outbreaks within student accommodation, and whole
15 accommodation blocks were locked down, you had -- at
16 that point a lot of the students who were in those
17 accommodation blocks had newly arrived, they were
18 potentially in a new city or a new country for the first
19 time where they didn't know anyone, and they were, due
20 to the kind of spread of the virus within those
21 environments, and I know we'll touch on that, they were
22 isolated into a small accommodation room, and didn't
23 have access to much welfare support.
24 Really, the welfare support was difficult to come
25 by, and the circumstances were just incredibly,

1 incredibly difficult for those students. It was a
2 really, really challenging time. And I suppose that
3 relates to the wider isolation that will be felt across
4 society really through the COVID-19 pandemic and
5 lockdowns. It's not necessarily just specific to
6 students around, you know, being isolated, but as
7 Ms Gomersall touched on, the data kind of bears out just
8 how challenging the mental health and wellbeing
9 landscape was for students at the outset of the
10 pandemic, and just how more difficult that got when
11 employment opportunities dried up and added additional
12 pressures, when there was uncertainties around whether
13 or not you could secure housing, or what your housing
14 situation would look like on top of, you know: am I
15 going to get my course, am I getting my grades, am I
16 qualifying, what's happening to my life, am I going to
17 have to drop out and come back and redo this part of my
18 life? As well as those wider social developmental
19 opportunities that often come with being at college or
20 university too.
21 Q. Thank you. Mr McCabe?
22 LIAM MCCABE: Yes. Just further to what has already been
23 said, I think wherever you looked, irrespective of the
24 circumstances, there were impacts upon some students'
25 mental health, most students. I think in the ideal

1 scenario, you know, if a student did kind of get a sense
2 that things were going to get quite tightly restricted
3 quite quickly, and they had a functional family home to
4 go to with space, then their mental health may actually
5 have fared better than most. But that's an ideal type.
6 That wasn't the case for a lot of people.
7 As has been remarked, some people were going back to
8 busy houses, busy homes, if they had one to go to, not a
9 lot of space, not only people joining lectures from
10 phones in stairwells, you know, or in the stairs of
11 their own home; I heard horror stories again from those
12 all-officer meetings of students trying to write
13 dissertations on their mobile phones, you know, and
14 anyone who has tried to do any kind of document longer
15 than one side of A4 on Microsoft Word app, you know how
16 impossible it would be to construct a document of that
17 type, especially if you're trying to do any form of
18 citation.
19 So it just -- and that ties back into, again, the
20 total lack of readiness when it came to digital
21 provision that I spoke to earlier. All these things
22 have a knock-on impact, as has already been touched on,
23 you know, like the kind of difficulty in accessing the
24 right kind of stuff to get your academic work completed
25 to a standard that you're happy with, all leads to

1 mounting worry which then has an impact on that mental
2 health bit. That then coupled with, you know, the
3 reality that that ideal type I spoke to wasn't the case
4 for many people. A lot of people didn't have functional
5 family homes to go back to, or could not go back to them
6 if they had them.
7 Shortly after I finished NUS Scotland, I went to
8 work for a now no longer operational charity called
9 Stand Alone, which represented or advocated for the
10 interests of estranged students, an often
11 under-appreciated and under-represented group within the
12 cohort of Scottish education, who experienced, just to
13 put it in very straightforward terms to keep things
14 relatively brief, much of the same social and economic
15 challenges of care-experienced students, but with none
16 of the kind of corporate parenting, the bursaries or
17 anything like it, because their circumstances can be
18 more complex, more difficult to understand and
19 characterise, and they miss out on the kind of statutory
20 support which makes them easier to identify for
21 additional support from institutions, colleges and
22 universities.
23 Whether it was care-experienced students, estranged
24 students, international students who just simply could
25 not get back to wherever they had come from, they found

1 themselves, as Mr Crilly noted, in their
2 accommodation -- where they might not have anyone
3 available to them who were family, sometimes like with
4 friends because they hadn't had the opportunity in some
5 cases to make them, because of the pandemic, confidantes
6 and all the stuff that you often require, the support
7 network which is necessary to get you through your time
8 in further and higher education. Because it is a
9 rigorous process, it is challenging, it is difficult and
10 it is that social element in the support network that
11 comes from the social element oftentimes that makes it
12 doable, that makes it realisable, that makes it possible
13 for students to actually get their academic work over
14 the line because they have this ballast that keeps them
15 grounded, keeps them centred, and provides them with
16 that outlet. Being isolated in accommodation made it
17 incredibly difficult to do that.
18 Now, credit to a lot of colleges and universities,
19 they did have accommodation teams and things like that,
20 you know, back office staff in and around those kinds of
21 facilities, were working really hard, to make sure that
22 they were dropping things off at people's doors,
23 socially distancing where they could, checking in on
24 people who they knew had vulnerabilities and particular
25 needs. You know, I know that students became very

1 active in certain places. One example that jumps to
2 mind is at the University of Glasgow, one of the
3 non-affiliates that we work closely with, the SRUC, they
4 coordinated with student volunteers safely, social
5 distance, of course, doing medicine drops, food delivery
6 drops in all their student halls of accommodation,
7 supported by the university as well, I believe, to kind
8 of provide, you know, just those outlets, and just
9 touching base with people, which did have a positive
10 impact. But again, the extent to which that was
11 remedying anything, it just simply wasn't. It was
12 mitigating, but it could never remedy.
13 One final thing I would want to touch on when it
14 comes to the mental health and wellbeing side of things
15 is all of this mounting pressure, leading to knock-on
16 impacts on mental health, isolation, loneliness etc, the
17 support mechanisms that Ms Gomersall touched on in terms
18 of the counselling provision and things of that nature
19 as well, in many cases, a lot of times, whether they
20 were additional places which were funded by the
21 government, which was agreed during my tenure as
22 president and started during that period and rolled
23 across both my successors here; or the university or
24 college's own counselling provision which they had had
25 in place beforehand, a lot of times that would be

1 provided person to person, sometimes online, sometimes
2 not.
3 And moving from delivering, you know, something
4 which is therapeutic, like therapeutic provision for
5 mental health and wellbeing, how you change the setting
6 of that, kind of a major impact on how people experience
7 it and what people get out of it. And for some people,
8 that would have been detrimental, deleterious perhaps
9 even to their ability to engage with that to get as much
10 out of that as they needed to improve their mental
11 health.
12 Not only that, the demand on these services
13 increased well beyond the point of feasibility as a
14 result of what was going on during the pandemic as well.
15 And so I suppose that kind of brings me kind of back to
16 something which as I have touched on briefly here and
17 there, which is the fragility that we see in further and
18 higher education. It's not just about the fragility of
19 the economic wellbeing of our institutions due to
20 overreliance on, you know, international markets and
21 international recruitment markets. It's the fragility
22 that's built into the support structure and
23 infrastructure which exists for students, because of the
24 lack of meaningful public investment for a very long
25 time in colleges and universities, and that then meant

1 that in the context of health and wellbeing, when
2 students needed support from that the most, during an
3 unforeseen pandemic, is simply (a) was not there and (b)
4 there was not the resource to create it.
5 Q. Thank you. If we can move on then to the penultimate
6 topic, and it's the return to campus in September 2020,
7 and, Mr Crilly, you were there leading the charge, so if
8 you would like to lead the charge now as well?
9 MATT CRILLY: Yes, so I think this is the most challenging
10 time that I experienced, certainly as president of NUS
11 Scotland. I suppose I took on the role formally in
12 July 2020, and again, very quickly, the conversation was
13 what happens in September of 2020, in August of 2020.
14 So we had moved from kind of immediate pandemic
15 response, you know, things moving very quickly online
16 and getting things over the line to what happens next a
17 little bit.
18 My recollection is that during that summer, a lot of
19 the conversations were still relatively cautious about
20 the return to campus, but that -- and I know the Inquiry
21 I'm sure will be looking at some of the decisions that
22 were taken, but certainly the final guidance, Scottish
23 Government guidance that went out to the sector, I think
24 didn't include some of the cautious language in the
25 earlier drafts of the guidance which would have advised

1 against large scale, large lectures, for example, for
2 students gathering.
3 So the Scottish Government guidance that went out to
4 the college and university sector opened the door
5 essentially for more in-person provision, and in-person
6 learning and teaching, for that return to campus.
7 During that period in particular, students were really
8 looking for certainty as to what was happening with
9 their education, and at that point we're still fairly
10 cautious about returning to normal, so to speak. So,
11 you know, we were still relatively new to the pandemic.
12 There was a high degree of anxiety around potentially
13 large scale gatherings, and people's worry about the
14 kind of safety of that, and that was very much the --
15 what we were seeking to convey during this period.
16 But we were probably taken aback somewhat in
17 September 2020, I think the -- through this time, the
18 university and colleges were, on an institutional basis
19 at a senior level, were keen to have as much of an
20 in-person teaching offer to students as possible, and at
21 that time, as has been touched on through our sessions
22 so far, the highest single source of income for many of
23 our universities comes from international and
24 postgraduate taught private tuition fees.
25 My understanding at that time through engagements

1 that I was involved in, is that there was a fear that if
2 learning was to be delivered -- learning/teaching was to
3 be delivered exclusively online or predominantly online,
4 that if that was the offer presented to students, many
5 international students might not want to come and enroll
6 on a 20,000 a year fee-paying course at a university in
7 Scotland. They might choose to study locally, or to
8 choose an alternative path.
9 So there was a fear that if universities in
10 particular weren't able to say to students that their
11 teaching would be in person that many students would not
12 seek to enroll or -- on courses, on fee-paying courses
13 in that period. So we saw on the return to campus, we
14 saw very large scale outbreaks as students returned in
15 high numbers to student accommodation because they were
16 told that they were to receive in-person blended
17 learning, but they would have to essentially be close to
18 the university because they would have to access the
19 in-person teaching provision that was being kind of
20 delivered.
21 So students had to be close to the university which
22 meant they arrived in large numbers to the student
23 accommodation, which as colleagues have touched on,
24 there was often eight people to a flat, and so there was
25 a big movement of students into accommodation, densely

1 populated accommodation, and we saw the virus spread,
2 and there were in September of 2020, October of 2020,
3 there were large scale coronavirus outbreaks in student
4 accommodation across Scotland.
5 It was an incredibly challenging time to make sure
6 that those students received the support that they
7 required, and as I touched on, many of these students
8 were coming in through a new environment, moving away
9 for the first time without having social support
10 networks in place.
11 So we saw students in several cases go without
12 access to food because, you know, there was an outbreak
13 in accommodation, an entire accommodation block of
14 hundreds and hundreds of students would be shut down,
15 and there was a scramble to try and make sure that those
16 students had access to food, they had access to, you
17 know, the necessities that they needed to live, and it
18 was really, really difficult.
19 Through this time we heard of the concerns of
20 students who were struggling with that. They were also
21 struggling because they were contracting the virus. You
22 know, there was no vaccinations at this point. People
23 were contracting the virus, and were really worried
24 about their health and the spreading of the virus.
25 At this point too, we had students that were in

1 incredible distress, and we spoke and worked with the
2 Scottish Government to ensure that the guidance was
3 flexible enough that if students were in a severe level
4 of distress, that they could leave the accommodation
5 too, but those outbreaks in accommodation were really
6 quite incredible.
7 If we talk about the impacts as well, there was a
8 breakdown of trust, I think, from students at that
9 point, and those that held the positions of authority
10 because they had been told to return to campus because
11 they had to access in-person teaching. They then
12 returned. There was big outbreaks. The learning and
13 teaching then went online anyway, so they had arrived at
14 campus, they had paid their fees, they had paid their
15 rent, they were then learning online anyway. Then the
16 rubber hit the road when that was the case where owing
17 to the outbreaks that occurred in campus, Universities
18 Scotland issued a request that all students essentially
19 stay at home.
20 So it placed students in Scotland in a semi-official
21 national lockdown that came from a voice of authority
22 within the country. Again, there was just a mass degree
23 of confusion among students, because this semi-official
24 lockdown was announced, and many students were like:
25 well, I'm not living in student accommodation; I'm a

1 mature student that lives at home with my family, you
2 know, I'm a postgraduate, I'm a college student, I'm a
3 college student; does this statement that's been issued
4 by Universities Scotland, does this apply to me, I'm not
5 enrolled at a university, so does this student lockdown
6 apply to me; what does it mean by way of my employment;
7 so there's a semi official lockdown for students being
8 announced, do I still have to attend my work; do I still
9 have to attend my job; if I don't, what are the
10 ramifications for that?
11 So because this announcement did not -- was not a
12 formal government announcement, it created these really
13 intense implications for students, and as I say, it
14 damaged the relationship and the trust between students
15 and their institutions and also government too. It made
16 it really, really challenging, and students at that
17 point too felt isolated from the rest of society,
18 because they essentially, they felt like they were being
19 seen as the cause of the pandemic and the cause of the
20 virus spreading, and they felt that they were being
21 judged because of that, you know, despite the fact that
22 they were kind of told that they had to be there, and
23 they had to arrive on campus to take part in their
24 education.
25 So they felt like, you know, they were being

1 unfairly blamed for the circumstances that had occurred,
2 and so there was a degree of social impact between
3 students and kind of wider communities and the wider
4 communities across Scotland and that was -- that was a
5 really challenging point, I think, to recover from
6 through the pandemic, because it really -- it really
7 impacted the relationships at that key time, you know,
8 the kind of trust from students through the process was
9 damaged.
10 And through the pandemic, we had worked really,
11 really closely and really well with the Scottish
12 Government, with public health advisors, Public Health
13 Scotland, wider bodies, to really further the guidance
14 and the message and the public health messaging that was
15 being shared.
16 So we tried our utmost during that period to really
17 share that messaging and really encourage a sense of
18 social solidarity from students to kind of look out for
19 each other and look out for their wider communities, and
20 keep themselves safe and keep their wider communities
21 safe. I think that process during the autumn of 2020
22 was incredibly, incredibly difficult and, you know, had
23 really quite strong impacts on students.
24 Q. Thank you, Mr Crilly. We have seven minutes left, and
25 I'm conscious that we still need to hear about ongoing

1 impacts and a sweep-up on any disproportionate, so if
2 it's all right with the rest of the panel, if I can turn
3 to Ms Gomersall to finish off the session, please?
4 ELLIE GOMERSALL: Yes, no problem at all. So I think in
5 terms of some of the longer-term impacts, and some of
6 these we've already mentioned, particularly with regards
7 to some of the social impacts, I think there's some
8 particular impact with regards to -- so we saw in the
9 return to campus in 2020, we had a particular challenge
10 with regards to housing and student accommodation, and
11 actually also provision of other local services.
12 Because one of the things that happened in 2020,
13 following on from what Matt was just explaining there,
14 with that return to campus, is that actually that whole
15 situation, so the prediction of that situation, many
16 students chose not to go to university in 2021, they
17 might have otherwise chosen to do so, and to instead
18 defer their studies to a later year, 2021 or 2022.
19 The Scottish Government and the Scottish Funding
20 Council provided additional funded places for those
21 later years up until this academic year now, but what
22 that meant was that we had more students coming to
23 university and college in 2022 in particular, and that
24 put a particular strain on services such as
25 accommodation, students finding it really, really

1 difficult finding somewhere to live, in addition to the
2 challenges that were happening during the pandemic and
3 before the pandemic as well, and there was particularly
4 high rates of homelessness among students as a result of
5 accommodation challenges, and the challenge of finding
6 affordable and high quality accommodation for students
7 to live in.
8 So we found during -- you know, two surveys that
9 were done during the pandemic, we found that 12% of
10 students across Scotland had experienced homelessness at
11 some point during their studies? That actually raised
12 to 22% for international students as well, so
13 international students were disproportionate, so more
14 than one in five international students experiencing
15 homelessness. Horror stories of international students
16 arriving in the country, and one student who I know
17 spent his first couple of weeks in Scotland sleeping in
18 the bus station in Edinburgh, just down the road from
19 here. Really, really horrifying to start off with.
20 And then the additional pressures as a result of the
21 additional students who had deferred their studies
22 created this really sort of spiralling situation where
23 we saw even higher rates, as I say, of homelessness and
24 horror stories such as the one I just mentioned.
25 So that was a particular impact too, and I think the

1 provision of affordable high quality accommodation in
2 Scotland for students has been a long-running issue, but
3 as I say, the pandemic exacerbated that as we were sort
4 of coming out of the tail end of it there, so that was
5 particularly impactful. In terms of some of the
6 disproportionate impacts that I just wanted to touch on
7 as well, and this relates to the return to campuses as
8 well, and what Matt was explaining in terms of students
9 being stuck inside, you know, sort of student
10 accommodation, rooms and, you know, food being provided
11 for them, for instance, by the facilities, that there
12 were a number of students who reported that their
13 dietary requirements weren't being met.
14 So students with allergens, but also Jewish and
15 Muslim students not receiving kosher and halal meals.
16 That was a particular disproportionate impact on that
17 group of students then too. And in terms of some of the
18 wider sort of disproportionate impacts, I think we've
19 already covered. You know, some of the ways that, for
20 instance, LGBT plus students were impacted;
21 care-experienced, estranged students, disabled students.
22 Students with caring responsibilities, a real particular
23 issue there. So students who -- and in multiple regards
24 so, for example, one of the big barriers to a lot of
25 students who have caring responsibilities is finding

1 childcare for their students whilst they -- when they go
2 to campus to study, and obviously that was mitigated
3 during the pandemic.
4 But of course with the schools being shut, and then
5 students also having to then study from home, having to
6 do a course at a university or college in the same room
7 while you're also looking after young children, really,
8 really challenging for those students with caring
9 responsibilities. When you look at the reports that
10 were produced by NUS Scotland during the pandemic years,
11 it was care-experienced students and students with
12 caring responsibilities, those were the two groups who
13 consistently had the highest rates of student poverty as
14 well. So you can see how those groups, it was really
15 just building upon building upon building on other
16 challenges.
17 I think that there are, in terms of some of the
18 longer term implications and in terms of some of, I
19 think, the lessons learnt as well I think when we look
20 at some of the biggest challenges that students faced
21 during the pandemic period itself, these are challenges
22 actually that existed before the pandemic, and still
23 exist after the pandemic, and were worsened during that
24 period.
25 So, for example, the issue around students not being

1 able to end contracts in purpose-built student
2 accommodation, that is something that now that that
3 emergency legislation that was put in place during the
4 pandemic has ended, we're back in the same situation we
5 were in before. That means that if another major
6 incident were to hit, students would be in the exact
7 same position as they were in back in 2020. And of
8 course it's not always just a pandemic that can be this
9 sort of issue that a student might face; for example, if
10 a student has experienced sexual assault by someone else
11 living in the same flat as them, they don't have a right
12 to move flat, they don't have a right to end that
13 contract. That's horrifying.
14 So some of these issues that if there were to be
15 another pandemic, actually it feels like we've not
16 really learnt any lessons because the structural issues
17 that are baked in to the student experience right now
18 after the pandemic is over, we have just bounced
19 straight back to how things were before, and students
20 are still being disproportionately impacted.
21 The challenges with regards to the funding model of
22 universities in particular and the real sort of reliance
23 on international markets, we've seen just in the past
24 year or so the impact that the knock-on effect that for
25 instance the financial crash in another country in the

1 world can have then on the rate of those students then
2 coming and choosing to study in Scotland; and because
3 the amount of money that the Scottish Funding Council
4 and the Scottish Government provides to each university
5 to fund a Scottish student's course isn't enough to
6 actually cover the cost of that student, it means that
7 as we saw in particular in the pandemic and has really,
8 really exacerbated some of the issues particularly with
9 regards to the return to campus, decisions are being
10 made based on, you know, the financial impact that
11 they're going to have with regards to these
12 international markets, rather than necessarily what was
13 in the interests of students and the safety of the
14 general population.
15 So you see again how some of these longer term
16 issues that existed before the pandemic, and that we've
17 just bounced straight back to afterwards, if another
18 pandemic were to hit tomorrow then actually we would be
19 completely unprepared again, and we would literally just
20 be repeating the exact same mistakes over and over. I
21 think that's a real shame and something that the
22 Scottish Government should be taking cognisance of.
23 MS VAN DER WESTHUIZEN: Thank you all so much for your time.
24 It has been very enlightening.
25 My Lord, unless you have further questions, I don't.

1 THE CHAIR: Thank you all very much. We'll take lunch now
2 and come back at 2 o'clock, thank you.
3 (1.02 pm)
4 (Luncheon adjournment)
5 (2.01 pm)
6 MS STEWART: Our final witness evidence today, my Lord,
7 comes from a panel of two: Mr Hutton, who is the current
8 general secretary of School Leaders Scotland, or SLS,
9 and Mr Thewliss who held that role during the pandemic.
10 MR GRAHAM HUTTON (called)
11 MR JIM THEWLISS (called)
12 Questions by MS STEWART
13 THE CHAIR: Thank you. Good afternoon, Mr Hutton, and good
14 afternoon, Mr Thewliss. Ms Stewart, when you're ready,
15 please.
16 MS STEWART: Mr Thewliss, can you please confirm your full
17 name?
18 JIM THEWLISS: Good afternoon, my name is Jim Thewliss.
19 Q. And you have provided a statement to the Inquiry?
20 JIM THEWLISS: I did, yes.
21 Q. And for the benefit of the transcript, that's to be
22 found at WT0373. Mr Hutton could you please confirm
23 your full name?
24 GRAHAM HUTTON: Graham William Hutton.
25 Q. Again, you also have provided a statement to the

1 Inquiry, and for the benefit of the transcript that
2 statement can be found at WT0504-000001. Now, Mr
3 Hutton, prior to drafting your own witness statement,
4 you had had sight of that prepared by Mr Thewliss and
5 had drafted a confirmatory statement?
6 GRAHAM HUTTON: I did.
7 Q. That, my Lord, is at number WT0504-000003.
8 I'll come to you first of all, Mr Thewliss. You
9 retired in August 2023 but immediately before your
10 retirement, between 2015 and your retirement, you were
11 general secretary of SLS?
12 JIM THEWLISS: Yes, I was.
13 Q. Thank you. Before going on to tell us about your role
14 with that organisation during the pandemic, can you tell
15 us a little bit about the organisation, its aims and its
16 purpose?
17 JIM THEWLISS: Yes indeed. School Leaders Scotland is the
18 professional association which represents those in
19 Scottish secondary schools who hold a leadership
20 responsibility. So it extends within secondary schools,
21 through head teachers, deputy head teachers, and the
22 group immediately thereafter of principal teachers,
23 faculty heads, those who have a leadership
24 responsibility. It also includes school business
25 managers, bursars, and there are a few members who have

1 moved outwith the formal school sector and who work with
2 local authorities and have applied to retain their
3 membership in School Leaders Scotland, who still do
4 retain membership.
5 Q. And is it exclusively for those working in secondary
6 education?
7 JIM THEWLISS: Secondary education and Scottish secondary --
8 in Scottish secondary schools, both state sector and
9 private sector.
10 Q. And does that include special schools?
11 JIM THEWLISS: It does. There are some members in special
12 schools, yes.
13 Q. Thank you. Mr Hutton, do you have anything to add in
14 terms of the current membership?
15 GRAHAM HUTTON: Yes, we have a current membership of 1,266
16 and over 75% of Scottish secondary heads are members,
17 and we have representation in about 90% of secondary
18 schools in Scotland.
19 Q. Thank you. Coming back to you, Mr Thewliss, in terms of
20 your role as general secretary during the pandemic
21 period, what did that entail?
22 JIM THEWLISS: During the pandemic period, as perhaps within
23 other periods but in perhaps a more acute way, my
24 responsibility was to represent members, represent the
25 views of members and communicate information and

1 guidance coming from government, COSLA and various other
2 national organisations to our members, in areas which
3 were relevant to the way in which they conducted their
4 professional duties.
5 Q. Mr Hutton, that is a role you now hold since
6 Mr Thewliss' retirement last August?
7 GRAHAM HUTTON: Yes, I do.
8 Q. Immediately prior to taking up that role, Mr Hutton, you
9 were a head teacher of a Scottish secondary school, of
10 Grove Academy, and that is a post that you held for
11 12 years; is that correct?
12 GRAHAM HUTTON: That's correct.
13 THE CHAIR: Can you tell us a little bit about Grove
14 Academy. For example, is it a state or private school,
15 and what's its size?
16 GRAHAM HUTTON: Grove Academy is a state school run by
17 Dundee City Council. It is a six-year comprehensive in
18 Broughty Ferry, and the roll in my day was 1,350. It's
19 quite a big school. It serves, as I say, Broughty Ferry
20 and the surroundings, and due to its reputation, the
21 school attracts pupils from across Dundee and further.
22 The school was opened in 1889 and moved into a brand new
23 PPP building in 2009. It has a teaching staff of
24 approximately 98 full-time equivalent, including four --
25 obviously one head teacher, four deputes, 18 -- sorry,

1 that was the case when I was there. 18 principal
2 teachers, now 10 faculty heads and eight principal
3 teachers of guidance to look after the pastoral
4 wellbeing of the young people. The school is also
5 fortunate in the quality of its support staff.
6 Q. Thank you. Can you tell us a little bit about your role
7 as a head teacher and in particular what that role
8 involved during the pandemic period?
9 GRAHAM HUTTON: Yes, I would say, as I say, the main
10 responsibilities were ensuring the quality of learning
11 and teaching in the school, about leading and managing
12 the school, involving pupils, staff, parents and
13 partners. It was about building a team to help support
14 our young people, and it was about building a suitable
15 and relevant curriculum for the young people to follow.
16 It was also about dealing with the health and wellbeing
17 of pupils, particularly through the guidance system, and
18 the health and wellbeing of my staff as well through a
19 duty of care.
20 It was also about organising budgets, staffing,
21 health and safety aspects and resources. I think during
22 COVID, it was -- definitely number 1 was ensuring the
23 health and safety and wellbeing of pupils and staff in
24 school and outwith school. It was about organising the
25 hubs and having responsibility for their function, a

1 responsibility I shared with three primary heads in the
2 cluster during the first lockdown.
3 It was ensuring sufficient PPE was available for
4 all, and it was about making sure that the guidance
5 staff were in contact with pupils and were checking on
6 their welfare as well, as far as they could in their
7 capabilities. It was also about maintaining social
8 distance within the school building and ensuring that
9 bubbles of young people, as it were, the first year
10 separated from -- that they didn't mix.
11 It was also involving timetabling appropriately in
12 very difficult circumstances, particularly when after
13 they returned to schools, after the first lockdown, and
14 just ensuring all the other things that I mentioned
15 earlier, which is the normal responsibilities of a head
16 teacher, were also still being done.
17 Q. Thank you, that's helpful. You mentioned there
18 coordination of hub schools, and that's something that
19 we'll come on to speak about in a short while. Were you
20 a member of SLS at the time of the pandemic?
21 GRAHAM HUTTON: Yes, I was.
22 Q. Thank you, and were you in communication with them
23 regarding impacts and observations you had about how
24 things were going within schools?
25 GRAHAM HUTTON: I was indeed. I was at that point president

1 of School Leaders Scotland. I just started in November
2 and was kind of halfway through my term when the first
3 lockdown came. So I was in quite constant contact with
4 Jim, as president and through the presidential team that
5 we have there, discussing things that we felt: how do we
6 take this forward with our members. And Jim had
7 consulted very widely with the presidential team, with
8 the core team, and we did work very well as a team to
9 make sure that we were supplying as much information as
10 possible to our members in schools across Scotland.
11 Q. Thank you. The first matter I want to discuss with you
12 is the closure, which -- we're referring to it as a
13 closure of schools. Of course we know they didn't
14 completely close, because there were hub schools and
15 learning and teaching continued, but I want to speak to
16 you essentially about what we are calling the closure
17 and the move to online learning and teaching.
18 Mr Hutton, you speak in your statement at paragraph
19 12 and following on this matter, and you express there
20 that learning and teaching in this online format was a
21 challenge for both pupils and staff. Can you first
22 explain about the challenges met by pupils?
23 GRAHAM HUTTON: There were various challenges met by pupils.
24 First of all, they were not in class. They were missing
25 the very important input of the teacher, and although we

1 have online learning now, and we talk about AI taking
2 over from teachers, the actual physical being in the
3 classroom has a huge impact on young people. And the
4 body language was missing, the encouragement, the signs
5 of encouragement and help were not there as well.
6 Young people found it frustrating that if when they
7 contacted their teacher, it maybe took a number of days
8 or a number of hours at least for them to respond,
9 whereas in class with their hand up, they would get
10 almost instant feedback on their work.
11 So I think it was also the issue that young people
12 felt isolated, they felt lonely. I spoke to one young
13 man later on in my five a day with my daily
14 conversations with pupils in school about what were the
15 impacts of the lockdown. And one boy who -- a very
16 intelligent boy with tears welling in his eyes said:
17 I was just so lonely, I was not -- I did not have the
18 contact that I needed, I didn't have the contact with my
19 teachers, I found that frustrating as well.
20 I think for -- also for young people was they
21 weren't sure how this would progress and they didn't
22 have the learn -- the teaching that they normally would
23 have had in class. Therefore when they came up against
24 an issue, they quite often came to a stop and they had
25 to wait until they had some sort of contact with a

1 teacher to take that further, whereas that would not
2 have happened in class. So they then realised that
3 there were going to be gaps in their learning and maybe
4 we'll come back to that later on.
5 For staff it was very difficult to adapt from being
6 the teacher in the classroom, being -- on the stage, on
7 the stage, but to be actually with the young people.
8 Teaching is a very social activity in that you're
9 interacting everyday with between up to 30 young people
10 in the class, and if we're not having that, and not
11 having the immediacy of the young people in the room,
12 and the atmosphere in the room and the banter, as it
13 were, that is missing from your experience as a teacher.
14 The move to online learning was very difficult for a
15 lot of members of staff, (a) because they had no
16 experience in it, (b) because they had not the ability
17 to do it and (c) they'd never had the training on how to
18 use Teams, Google Meet, or whatever, Zoom. Then there
19 was also the issues that in some local authorities, Zoom
20 in particular was banned and it was blocked, and
21 therefore they had to make sure that they were using the
22 appropriate method of communicating to the young people
23 how they were to be learning.
24 Q. Thank you. You mention in your statement about issues
25 in terms of what we might term digital inclusion,

1 connectivity issues and issues to do with devices. Was
2 that in your view a barrier to learning for some or all
3 pupils?
4 GRAHAM HUTTON: That was a definite barrier to learning.
5 Schools were closed very quickly, and we didn't really
6 have any time to prepare properly for the move to online
7 learning. At that point in my school, every member of
8 staff had an iPad, but the young people hadn't, and that
9 was in the plan to come, that each person would
10 eventually have -- each young person would have an iPad,
11 and in some local authorities, they were lucky enough to
12 have a one-to-one device for each young person, and that
13 was not always possible for the young people in my
14 school. Probably more so in my school -- sorry, it
15 would have been worse in one of the other schools in
16 Dundee where I had previously taught.
17 So at home, there may not have been a lot of devices
18 which were connected to the internet. It may well be
19 that in a family of maybe two young people and a mother
20 and father who were both working from home, that they
21 maybe only had one device between them, and therefore
22 for the parents, what's important is that they had to do
23 their -- you know, be involved in their work, and
24 therefore that left the access to the internet and to
25 online learning later on in the day.

1 And what we found then was that young people were
2 moving their experience to later on in the day. Some of
3 my staff were amazed that they were getting work sent to
4 them at 3 o'clock in the morning, and therefore their
5 day began to shift as well. There was the issue of even
6 if they have a device at home, the connectivity was
7 poor, or they didn't have any connectivity because of
8 the cost involved in doing so.
9 So that meant we had to look at this very carefully,
10 and we cannibalised as many things as we had -- devices
11 that we had in school, some of them quite old and clunky
12 and slow. Then, we tried to provide dongles that would
13 help them access the internet through -- access the
14 internet easily enough, and made sure that if they
15 needed a device, the guidance staff would contact them.
16 People we thought maybe didn't have any device or whom
17 staff had seen, there was no response from them, and
18 then later on, the Scottish Government provided more
19 laptops for young people, and they were distributed
20 through the local authority as well.
21 So slowly but surely, we did get to the point where
22 just about every young person had access either through
23 a device provided by the school, or by the local
24 authority to ensure that they were -- that they were --
25 they had a connection to the internet.

1 Q. Mr Thewliss, is that picture that has been given by
2 Mr Hutton one that was replicated across the country?
3 JIM THEWLISS: Yes and no, in that there were at the point
4 of the first lockdown, the first school closures, some
5 local authorities in which young people were better
6 served than others, and better able to prepare for
7 learning at home than others. Some were in worse
8 positions than Mr Hutton found himself, in that there
9 were large parts of Scotland where broadband access was
10 an issue. There were individual young people and
11 individual schools where access and accessibility was
12 much, much more of a problem, just depending on the
13 nature of the school.
14 So it was a mixed picture across the country. Some
15 areas served better than others, some areas really quite
16 poorly served, and that was just a matter of fact
17 related to the closure of a system at a particular point
18 in time. From then on, the sort of catching up part of
19 it, as Mr Hutton has described, took place at a varied
20 rate across the country, related to where people were
21 starting from, and the way in which local authorities in
22 particular made accessibility available to the young
23 people who were in schools.
24 THE CHAIR: Thank you.
25 GRAHAM HUTTON: Could I just go back and add something to

1 the problems involved for staff, in that this was for
2 many staff something totally new, working online, and
3 providing online lessons either by recording them or to
4 trying to do them live, and doing them live became very,
5 very difficult because nobody turned up. As I say, the
6 young people's days had turned around, and therefore
7 they thought: if I do a live lesson, there's only two
8 young people in the class out of 30, it is a total waste
9 of time. Not for those two young people, but for the
10 rest. Then the gaps then appear that you go into the
11 next live lesson and half the class has maybe not been
12 there.
13 So we then move to recording the lessons, and that
14 involved an issue of training, professional learning on
15 how to do that. Therefore my computing department took
16 on another responsibility of trying to train people,
17 colleagues about how to use Zoom, how to use --
18 Microsoft Teams and Google Meet, and to make sure that
19 was done properly, and how did they do that with various
20 spreadsheets and sharing the screens and what not. This
21 was all new technology, this was all a new experience
22 for them, and it was quite frightening for a lot of
23 people, a lot of colleagues, because change is very
24 difficult in some cases.
25 Q. In terms of the national picture, Mr Thewliss, the theme

1 of digital learning and its challenges is one that you
2 have brought out throughout your statement, and you
3 speak about the pandemic having tested systems that were
4 then found wanting. At paragraph 25 of your statement,
5 you say:
6 "SLS has always known that digital poverty was a
7 major problem for certain sections of the population,
8 and suspected that Education Scotland, the national body
9 tasked with providing digital learning was not up to
10 scratch."
11 Can you perhaps, first of all, explain to us just
12 very briefly Education Scotland's role in general terms?
13 JIM THEWLISS: Education Scotland had a national role in --
14 I could spend a good hour and a half or more explaining
15 this one, but to try and cut it short, in a national
16 role and kind of three main areas, one was the support
17 of the curriculum and the support of teachers in the
18 delivery of the curriculum. Second role was in
19 educational leadership in the area of
20 Education Scotland, which was previously SCEL and which
21 was taken into Education Scotland. The third role was
22 to do with Her Majesty's Inspectorate as it was at the
23 time.
24 Q. Thank you. In respect of digital learning in
25 particular, how was it that SLS saw their role?

1 JIM THEWLISS: Saw --
2 Q. Education Scotland's role in relation to digital
3 learning in particular?
4 JIM THEWLISS: There was -- pre-pandemic, there was an
5 expectation that digital learning would become part of
6 what learning was, and it was natural to assume that
7 Education Scotland would be in the fore and the delivery
8 of training for staff, materials for the training of
9 staff and materials to use with young people. So that
10 expectation was there pre-pandemic.
11 When the pandemic came about, when young people were
12 at school, the situation which Mr Hutton described where
13 schools were to an extent kind of left on their own to
14 work out how to make this work was the way in which it
15 started to pan out. There was not a great deal of
16 support, certainly in the very early stages available
17 from Education Scotland on their website. And it took a
18 long time for it to start to wind up within the
19 organisation to let them understand what the education
20 community needed in terms of support in relation to
21 digital learning.
22 Q. Thank you. You mention there that there was an
23 expectation pre-pandemic. Was that in the immediacy
24 before the pandemic, or is that quite a long-standing
25 expectation?

1 JIM THEWLISS: It was long-standing, and it was tied into
2 the government's commitment making digital devices
3 available to all young people, so that expectation was
4 an expectation of Education Scotland as an organisation
5 in taking forward educational thinking in the early 21st
6 century, and also an expectation of the government
7 providing hardware out there into the educational
8 community, which that training could then be used to
9 take forward were there to have been no pandemic.
10 Q. And it's clear from what you just said that you don't
11 consider that that role was fulfilled or at least not
12 fully realised?
13 JIM THEWLISS: It would be perhaps unkind to say that it was
14 not fulfilled, but given what happened happened quite so
15 suddenly and when it did, then the organisation was
16 found wanting in being ready and prepared to upscale in
17 a way which could support the profession and support
18 young people's learning in a way consistent with not
19 having to actually be in the school building.
20 Q. And again, is that as a result of that, the impacts that
21 we've heard about in connection with online learning and
22 the impacts on teachers and learners?
23 JIM THEWLISS: Yes.
24 Q. Thank you. You mentioned there that they were able to
25 provide, was it resources or ...?

1 JIM THEWLISS: It was not so much resources, but guidance,
2 and when e-Sgoil became available, then
3 Education Scotland leapt on to that one and made that
4 one work and made that available across the country in a
5 way which provided the support which was not there in
6 the early stages.
7 Q. And at what stage was it that e-Sgoil became available?
8 JIM THEWLISS: My recollection of it would be maybe three to
9 four weeks in.
10 Q. And was e-Sgoil an organisation that SLS was aware of
11 pre-pandemic?
12 MR EDWARDS: We were all aware of e-Sgoil. We were aware of
13 what it was and what it was intended to do, and whoever
14 it was, whether Education Scotland, I suspect it would
15 be Education Scotland, grasped a hold of it to say: if
16 we expand this, if we upscale this, then it will fill at
17 the gap which is now very, very apparent; and it had
18 become apparent that young people were not going to be
19 in school for quite some time. It wasn't going to be
20 something that was going to be past in three or four
21 weeks. It was going to be longer term than that, and
22 that's when it was upscaled and started to be introduced
23 to higher capacity than it was originally intended.
24 Q. Thank you, and was the impact of that to alleviate some
25 of the challenges?

1 JIM THEWLISS: Yes.
2 Q. Thank you. I want to move on now to discussing hub
3 schools with you and I want to ask you about that first
4 of all, Mr Hutton, because you were in practice during
5 the pandemic as well as having your national role with
6 SLS, and you have provided quite a bit of detail on this
7 in your statement, but before I go on to hub schools,
8 I want to ask you, Mr Thewliss, about something that you
9 say in your statement at paragraph 15. You talk about a
10 dual aspect to education involving learning on the one
11 hand and what you term a social care aspect. Can you
12 explain to us what it is you mean by that social care
13 aspect?
14 JIM THEWLISS: I think perhaps to give this a bit of
15 context, and to give a bit of understanding, in that
16 schools by their very nature in that they drew young
17 people together into one place at a certain and
18 acknowledged point in time were useful in two ways:
19 Firstly, it made education formal. Young people
20 understood that they were coming to school, their
21 parents understood that they were coming to school and
22 they were coming to school to learn. But in that young
23 people were in the building for five-and-a-half hours a
24 day, it then became kind of apparent to other agencies
25 out there within the community that this was a uniquely

1 useful way of gaining access to and supporting young
2 people who were vulnerable out there within the
3 community.
4 So the school picked up not just the educational
5 imperative, but it also picked up part of the social
6 care imperative, and that was built into the statutory
7 functions of the school that they had to liaise with
8 external agencies in support of young people, not just
9 in their learning but as a duty of care to young people.
10 Q. Thank you. We'll come on to speak a bit about
11 cross-sector working and partnership working with
12 agencies such as social services or speech and language
13 in a short while, but perhaps you could explain to us
14 just now how a school discharged that statutory
15 obligation pre-pandemic in connection with social care?
16 JIM THEWLISS: Every secondary school had a guidance staff,
17 and the guidance staff, part of their responsibility was
18 for the pastoral care of young people. Now, if they
19 became aware during the course of the support which they
20 were giving young people that there were issues at home
21 or within the community, then those issues were shared
22 with social work department among other agencies. If
23 social work or other agencies were aware of issues out
24 there within the community, then they shared them within
25 the school. So although we operated with different

1 protocols, we'll perhaps talk about these later on, the
2 protocols kind of emphasised the joint working as it was
3 displayed with respect of care, duty of care to
4 individual children.
5 Q. How was it that the closure of schools and the move to
6 online learning impacted a school's ability to discharge
7 that obligation?
8 JIM THEWLISS: As I said earlier, one of the advantages of
9 the school was that young people came to school. They
10 were in the building. Hence there was a point of
11 contact there, and the guidance teacher was the point of
12 contact within the school. If there was a concern, then
13 case meetings would be set up, parental visits would
14 take place, various other agencies would be contacted,
15 and we would start to look at working around the child.
16 That work started to fall away as soon as you could
17 not get physical contact with the people who were out
18 there. Now, this was taking place at a time when there
19 were all sorts of other things going on out there.
20 There was a pandemic, people were ill, people within the
21 various agencies within the schools were ill, so contact
22 and information became much, much more difficult as soon
23 as you did not have a place where the young person was
24 there and could be visited by the agencies that were
25 required to support that child.

1 Q. In terms of the teacher, the classroom teacher or the
2 guidance staff, being aware that there was an issue, how
3 did the school closure impact their ability to discern
4 when there was something to pick up on.
5 JIM THEWLISS: Unless young people were in the hub and were
6 able to observe within the hub, then there was no way
7 the school could -- unless somebody informed us, that
8 the school could observe and pick up any issues which
9 were ongoing in a child's life.
10 Q. Thank you. Mr Hutton, I want to come to you now about
11 some of the practical considerations relating to
12 operating a hub school. I understand from your
13 statement that Grove Academy operated, indeed you have
14 said it today, as a cluster hub, and you have said in
15 your statement that you are a little bit uncomfortable
16 with how it operated. Can you tell us a little bit
17 about the source of that discomfort?
18 GRAHAM HUTTON: Yes, I had a cluster of three primary
19 schools, three quite large primary schools and Grove
20 itself, and up until then, we had worked very, very
21 closely together as a cluster, and we all got on very
22 well, which is a kind of team mentality that was very
23 positive.
24 When it came to the first hub, suddenly I only had a
25 certain amount of young people, children of key workers

1 plus young people from my own school, and suddenly all
2 these young people from the three primaries, and I
3 wasn't used to, I suppose, younger children and dealing
4 with them. And also it was strange, I had never used
5 the word "my school", but I found it strange to have
6 other people in my school and my building and having to
7 share it with them, but I soon got over that, I have to
8 say, and we did settle down to work as we had done
9 before very, very successfully.
10 I think for the young people from the primary, it
11 was far more intimidating to come into a huge secondary
12 school, and we therefore made sure that they were only
13 going as short a distance from the front door as
14 possible, and that they always had the same classroom,
15 no matter which -- young people were in, because it did
16 vary between particularly with the children of key
17 workers, because they didn't always have to come in each
18 day, because their parents were maybe at home looking
19 after them.
20 So there was a suite of rooms allocated to each of
21 the primary schools, and another set of rooms that we
22 used at secondary. I think that worked particularly
23 well. There was always a member of the primary school,
24 usually one of the heads or the deputes there, so each
25 school still operated on its own within Grove Academy.

1 I think the office staff there, they also interchanged,
2 so we had people from -- support staff from other
3 schools as well coming in to help them support any
4 inquiries that came from parents.
5 Q. In connection with the staffing of hub schools, how was
6 that organised?
7 GRAHAM HUTTON: That was -- well, there were two different
8 ways of doing it. First of all, when we were in the
9 first lockdown and we had the cluster hub, then we all
10 did our individual staffing issues for each primary, and
11 then when we went into the second lockdown, when it was
12 just every school had its own hub and so it was just
13 back to being the secondary school again, it was
14 organised within school. I organised my own school with
15 the staffing. I felt it was important that I did that
16 because I knew all the ins and outs of some of my staff,
17 and the issues that they had, particularly if they were
18 shielding, they were shielding either themselves or they
19 were shielding somebody very vulnerable in their family.
20 Again, it was this balancing of ordinary teachers
21 and principal teachers' responsibilities as teachers, in
22 ensuring the teaching and learning of the young people
23 went on; and also be being there in school to support
24 the hubs, and thirdly to put the stuff online as well.
25 So there was, I suppose, a couple of balls that they

1 were all trying to juggle at the same time. So when I
2 was building up a rota, we made sure that it was in a
3 way voluntary, but we made sure that it was spread
4 evenly over the time. People would say to me: I have
5 got a class at that point and I want to do a live
6 lesson, I'm recording this; or I have made an
7 arrangement with a young person to speak to them, can I
8 move it. And we were quite flexible with that, because
9 I think -- in some schools I know that they use the
10 support staff, lab technicians and support for learning
11 assistants to look after young people.
12 I wasn't keen to do that because I think at the end
13 of the day, it should have been teachers, qualified
14 teachers who did that. The other issue in running a hub
15 was to make sure that the vulnerable young people had --
16 particularly the ASN. We might be coming on to this
17 later on, and I can speak --
18 Q. Yes, we will come on to speak about the ASN provision in
19 a short while, but you touched there on the importance
20 in your view of having teaching staff manning the hubs.
21 What was the format of the lessons within hub schools?
22 Were children present there to be cared for and to be
23 supervised and accessing online learning, or were they
24 getting a live lesson in class?
25 GRAHAM HUTTON: Because it was a different number of people

1 at the end of the day, and a different -- on a kind of
2 rota, it wasn't -- and because in the secondary, there
3 was a wide range of vulnerable young people from S1 to 4
4 mainly, not so many, maybe one or two in S5, or they
5 were the children of key workers. That changed every
6 day. They were all doing different subjects and
7 particularly when you get to S3/4, at 4 and 5 in
8 particular, they all have a different curriculum in many
9 ways.
10 So it was absolutely impossible to have a live
11 lesson for each of them, but what we did have was if a
12 young person had a problem, the teacher looking after
13 them, supervising them, would try and help as best they
14 can, or send them to somebody else who might be in the
15 school whose subject speciality that was. So for the
16 most part, they were doing online, and for the secondary
17 young people who were in the hubs, they were mainly
18 based in computing rooms and the library, so that they
19 had access online to lessons, and therefore the
20 supervising teacher may go round and help and support,
21 but may also have been trying to support young people
22 online themselves at the same time, so again it's this
23 idea of balancing various different things at the one
24 time.
25 Q. Thank you. Mr Thewliss, in connection with the

1 description there of what happened, certainly with a
2 state school and Dundee City Council, is that something
3 that was replicated across local authorities to your
4 knowledge, or was it varied?
5 JIM THEWLISS: It was more or less replicated across local
6 authorities, the experience of young people was more or
7 less the same, given that there was a limited
8 availability of access to learning, just by the nature
9 of the groups of young people who were coming into
10 schools, and schools falling in the same sort of pattern
11 as Grove Academy did, made the best of what they could
12 do.
13 Q. Thank you, I want to ask now about the eligibility
14 criteria for attendance at hub schools, and the Inquiry
15 is aware that these hubs were open to the children of
16 key workers and to the vulnerable children. I want to
17 look with you at the application of that, Mr Hutton. At
18 paragraph 22 of your statement, you say:
19 "The children of key workers had to register with
20 the school or the local authority, with vulnerable
21 pupils being highlighted by guidance and support for
22 learning departments in the school."
23 Am I to understand from that, Mr Hutton, that
24 schools were determining eligibility in connection with
25 who was vulnerable, and local authorities were

1 determining eligibility for key workers?
2 GRAHAM HUTTON: Yes and no, in the sense of when you're
3 dealing with vulnerable young people, it definitely was
4 from the school's point of view from recommendations
5 from guidance, and from the support for learning
6 department in particular, about which young people we
7 felt needed to come into school and that had to be
8 really agreed with the parents as well that they felt
9 they would benefit.
10 Now, most parents when offered the opportunity to
11 have their children still go to school, basically seized
12 that. One or two didn't, but I think when you
13 categorised the young people, most of these young people
14 would be what I would call level 3 to 5 in the ASN
15 scale, that they needed support in some way. That may
16 be that they had physical needs, it might mean that they
17 had personal needs, health needs, or that they had
18 dyslexia, autism and other such examples.
19 So therefore they needed possibly individualised
20 learning, usually with a support for learning teacher or
21 a support for learning assistant, and for some of these
22 young people, they need consistency, they need a routine
23 and they need to be usually looked after by one constant
24 person. That doesn't happen all the time, but they get
25 to know the young people, and so one of the issues we

1 had for some of the vulnerable young people was that
2 they were not getting the usual support person that they
3 were used to, and therefore that caused one or two
4 issues as well.
5 Q. You mentioned there an ASN scale, and gave some examples
6 of those who might be in 1 to 3. Is that a national
7 scale that's applied?
8 JIM THEWLISS: There is a national scale of sorts,
9 determined in different ways in different local
10 authorities, but more or less it's the same.
11 Q. But just perhaps it's a concept that's recognised
12 nationally --
13 JIM THEWLISS: Absolutely.
14 Q. -- that may have differences. Thank you. Was there
15 scope, Mr Hutton, for parents and carers or indeed
16 pupils to self-refer for a hub school place on account
17 of vulnerability, or did it need to be flagged by the
18 school first?
19 GRAHAM HUTTON: That's a good question. I would hope that
20 if they self-referred, they would be taken up without
21 any shadow of a doubt, because our whole being is about
22 the protection of young people and making sure that they
23 get the support that they need. If some parent came to
24 me and said: look, my young person needs the routine
25 that they always have, could he or she come in, we would

1 probably have said: absolutely, yes.
2 JIM THEWLISS: Can I perhaps contribute to that one in that
3 at the start as it was with a great many other parts of
4 what we were doing at that point in time, no one knew
5 what we were doing, and we had never done this before.
6 It was something we didn't know or didn't kind of --
7 weren't able to anticipate how it was going to turn out.
8 So in the very early stages, the kind of narrow
9 criteria in relation to those who were entitled to come
10 to hub was applied, but once we got a grasp of the
11 numbers who were coming into the hub, once we gained an
12 understanding of the number of staff who were going to
13 be available to support young people within the hub,
14 then all schools across the country kind of started to
15 blur the edges of who they were going to bring in.
16 To give a very good example, if the young person was
17 the son or daughter of a school teacher who could be
18 employed by being in a hub, if their child was in the
19 hub of their own local secondary school, then it would
20 be obvious and common sense to deal with that in that
21 kind of fringe area of the eligibility to come to the
22 hub, but it evolved as time went on from the narrow
23 interpretation of the criteria at the early stages, then
24 to something which was workable and sensible later on.
25 GRAHAM HUTTON: And actually suited the needs of the young

1 people in the school, and if I can go on to the key
2 workers because I think you asked me about that.
3 Q. Yes, was that eligibility determined by the local
4 authority or by the school or a combination of both?
5 GRAHAM HUTTON: A combination of both if my memory serves me
6 correctly, but they had to, initially in Dundee anyways,
7 apply through the local council but there was a wee bit
8 of inundation of applications for that, and then we had
9 the problem so we took them in the school, there were
10 criteria, if I remember rightly, of what a key worker
11 was, and sometimes that was difficult to gauge,
12 obviously if they work for the medical services or the
13 fire brigade or the police, that was a given, but when
14 they were on in careers which stretched out from that,
15 there was the question of how far do you stretch the key
16 worker idea.
17 By the end of the day, I would say most schools just
18 said: yes, we'll take them; but there was always that
19 caveat that if you began to take everybody, more young
20 people would come back and we would be back in the
21 situation of there's a risk of contamination, and again,
22 that was something else that we had to make sure in the
23 hubs that there was still social distancing between the
24 young people. So in a classroom that normally would
25 have taken maybe 30 young people, you could only have 12

1 to make sure that they still had the 2-metre distancing.
2 That, I think, for the primaries was very, very,
3 very difficult to make sure that young people of 5 or 6
4 actually kept 2-metre distancing. It was difficult
5 enough with S1 and 2, but it was something we had to
6 keep in mind. So therefore, although you maybe only had
7 30 young people in, you had to look maybe three to four
8 classrooms where they were spread out.
9 Q. You both set out in your statements that in your view
10 hub schools didn't cater particularly well, or perhaps
11 not at all for those who had ASN, especially those with
12 profound learning needs. If I can come to you,
13 Mr Thewliss, at paragraph 50 of your statement, you say:
14 "A significant number of young people with health
15 and personal care needs who could have been supported
16 within school were not due to it being unsafe to do so
17 at the outset. The missed learning of these young
18 people was difficult to catch up on."
19 I suppose the first question is, were hub school
20 places offered to such learners?
21 JIM THEWLISS: At the beginning, once we kind of recognised
22 that schools were not going to be opening, again to
23 reflect on the membership of SLS, there was membership
24 from mainstream secondary schools to special schools,
25 and special schools that catered for young people who

1 required very personal support. Schools shut down
2 overnight, and to bring young people who required such
3 quite significant personal support into school without
4 PPE, because it wasn't available, was an issue in the
5 early stages of this.
6 The professional associations, not just School
7 Leaders Scotland, all the professional associations,
8 made the case very early on, in terms of equity, young
9 people should not be prohibited because there was not
10 PPE available there. That started -- it picked up very,
11 very quickly and we got round a bit -- not so much round
12 about it, but we started to support those young people.
13 Within mainstream schools, the availability of hand
14 cleansing and masks and so on picked up very, very
15 quickly. So from a standing start across the various
16 sectors of secondary education, going from special
17 schools through ASN within mainstream schools, we got to
18 grips fairly quickly with what was required to enable
19 those schools to operate on the basis of hub.
20 Given that if we're looking at ASN, generally
21 speaking, education can go from being one to one to
22 small group education, which quite obviously is much
23 closer contact than 12 young people in a standard sized
24 classroom, with one member of staff somewhere distant
25 from them. So it took a wee bit of working around, but

1 we got there, we got there reasonably quickly, I would
2 like to suggest, as well.
3 Q. Thank you. You've touched on this before in connection
4 with cross—sector working and partnership working when
5 you spoke about the social care aspect of education. At
6 paragraph 45 of your statement, Mr Thewliss, you speak
7 about some aspects of cross—sector working. Can you
8 explain to the Inquiry, please, what sort of
9 cross—sector working is necessary for a school leader,
10 for example, with whom and to what end?
11 JIM THEWLISS: There are aspects of duty of care which are
12 statutory duties of schools and school leaders, and Her
13 Majesty's Inspectors will check up when they come to
14 inspect schools if these duties are being carried out.
15 It's a matter of law that these things should be done.
16 Generally speaking, when you start to work in that
17 way, you're working cross sector with various other
18 agencies, largely social work department, but various
19 other support agencies out there. And to take these
20 things forward, on almost every occasion there will be
21 some sort of case conference to set that up, and at the
22 case conference within the protocols of the various
23 groups who are there supporting the child, certain
24 things will be agreed. But the majority of these things
25 require coming together of the professionals to make

1 sure that these are being carried out properly. Once
2 you start to get into a situation where you can't
3 meet —— you can't bring a speech therapist into school,
4 for example, then life becomes very, very difficult and
5 very, very challenging.
6 Now, the kind of legal part of this, the statutory
7 duties of care, is kind of perhaps the easiest part of
8 this, because it's laid down there and it's quite clear
9 what this young person can be expected to get in terms
10 of support.
11 A level kind of above that or beyond that, there is
12 a significant cohort of young people within the school
13 who require care of some sort of a more informal nature.
14 If you're struggling to do the very formal stuff, and
15 you're trying to find ways round about doing that and
16 spending time doing that, there's not as much time left
17 to deal with the other cohort of young people who don't
18 fall within the statutory part of it, but do deserve
19 care and fit into the care network which the school is
20 going to operate.
21 So it became very, very challenging in all aspects
22 of providing care to vulnerable young people, however
23 vulnerable, more or less they be, given the nature of
24 the pandemic, and that you didn't know how to make
25 contact, you certainly couldn't have face—to—face

1 contact at times, and if people were going to be absent
2 from work, they were going to be shielding themselves,
3 that started to put more gaps into the care system.
4 So it was a very, very fraught and challenging time
5 in the early stages of making sure that continuity of
6 care and support was available to young people, given
7 the kind of pressures that staff were working under.
8 Q. And I suppose —— is it fair to deduce from what you said
9 there in connection with the obligations and the care
10 network for those who already require that informal care
11 network, that should such a vulnerability or need arise
12 during the period they're not within the school
13 premises, that would be more difficult for you to know?
14 JIM THEWLISS: It's much more difficult in that they are not
15 on the premises, and more so than that, if they are not
16 in the premises, they're out there in the community and
17 many young people, the difficulties were with —— the
18 difficulties which they faced were difficulties on
19 account of being out there in the community. If they
20 were in school for five—and—a—half hours a day, we knew
21 where they were and we knew what to do and we knew that
22 we could support them. It became a huge, huge challenge
23 when we didn't know for a great many young people where
24 they were and what they were doing.
25 Q. You mentioned at paragraph 47, Mr Thewliss, that

1 partnership working or this cross—sector working has not
2 recovered post pandemic. Why is that?
3 JIM THEWLISS: Due to what we missed out during the pandemic
4 and due to the fact that the pandemic has put more
5 people into the position of requiring of care and
6 special care.
7 Q. I want to move on now to looking at the changes to the
8 SQA exam diet and the alternative certification model I
9 refer to as "ACM". Both of you speak about this in your
10 statements and it's clear from your statements that you
11 consider the ACM to have been a successful process.
12 First of all, just to give us a bit of grounding on what
13 it is we're speaking about, can I ask you, Mr Thewliss,
14 to explain to us, just briefly, how the exam diet was
15 altered in 2020 and '21 and also what the ACM was?
16 JIM THEWLISS: Again to give a background to that, the
17 examination system as such was always its strength was
18 its formality within school and it comes back to what
19 happened overnight pre—pandemic and pandemic in relation
20 to what happened in schools. The examination system was
21 based on the principle that young people attended school
22 for 300 —— 295 days per year and at some point during
23 that period of attendance there was an examination diet
24 where young people went into the assembly hall or
25 wherever it was within the school, sat down at a desk

1 and sat an examination which tested the learning which
2 they had obtained over the previous year within school.
3 Now, it's a very straightforward and simple system and
4 it was never seriously called in to question -- perhaps
5 it should have been, that's another argument for another
6 time and another place -- but that's the system as was.
7 Pupils knew it; teachers knew it; and parents knew it.
8 All of a sudden March 2019, that stopped because there
9 are going to be no exams. SQA was left in a very, very
10 difficult and challenging situation at that point in
11 time in that there are young people who are very close
12 to the point of certification but could no longer finish
13 off that part of the education which required them to
14 get to the exams, that kind of six-week final period
15 when they're able to sit exams, so the SQA had to find a
16 way to make sure that those young people were given due
17 credit for the learning which they had gone through and
18 which the level of attainment and achievement which they
19 had exhibited. Now, it would be safe to say that there
20 could have been better ways of doing it in certainly the
21 first exam diet and we all know the controversy that
22 happened in the August of that year when the exam
23 results came out. But to be fair to SQA, they had to
24 come up with a system and come up with a system very,
25 very quickly to deal with that. However, thereafter,

1 having gone through that and having understood the
2 challenges, the difficulties and the mistakes that were
3 made at that time, SQA engaged with the profession very,
4 very quickly in relation to making sure that in the
5 following year were there to be no exams and were there
6 be major disruptions to education throughout the year
7 that they were going to be in a better position to make
8 sure that young people actually did gain true and
9 accurate accreditation for what they had done and what
10 they had achieved. Discussions started off very, very
11 early on, immediately after the first -- after the
12 August fiasco in terms of results to make sure that
13 people understood the changes which were going to be
14 made, changes to curriculum, changes to assessment
15 procedures, and changes to the way in which the exam
16 system if it was going to happen would take place. And
17 between August and through until May and June of the
18 following year was a meeting every -- I attended a
19 meeting every Friday morning along with other members of
20 the professional associations with SQA to come up with
21 the so-called ACM model to make sure that the system was
22 robust and more so that people understood the system and
23 what was going to happen and the way in which it was
24 going to impact on qualifications if there were to be no
25 exam diet the following year.

1 Q. Is that group the SQA Strategic Overview Group --
2 JIM THEWLISS: Yes.
3 Q. -- that you were a member of. Thank you, Mr Hutton, you
4 set out in your statement at paragraph 61 that SQA
5 removed some sections from the formal assessments and
6 that this was for reasons of accessibility. Can you
7 explain how that made the exams more accessible?
8 GRAHAM HUTTON: Yes, so that SQA issues a curriculum, a
9 syllabus, on which they will base the exams for Higher,
10 National 5 or Advanced Higher, and in some of the
11 subjects they decided that often options of what they
12 can do and so they limited the options that were
13 available to the schools that were in the ACM that
14 needed to be tested. To a great extent that was a good
15 idea but if -- it came quite late on and therefore some
16 schools and some departments, subject areas, had already
17 decided they were going to do this option and then it
18 wasn't going to be examined and so that time had been
19 lost and so there was a mad rush to get other options
20 done. The practical subjects had a major issue because
21 of the restrictions imposed by Scottish Government quite
22 rightly in the schools that they couldn't do some of the
23 practical work, A, because they were at school, B,
24 because when they came back they were still social
25 distancing and, C, they did not have the time left to

1 finish their models, their artwork or whatever. And for
2 music in particular there was an issue with practising,
3 because they have to perform, they have to have a
4 performance, that for brass and woodwind they could not
5 use them in the school. Now, in the summer that's fine
6 because they could go outside and stand in the gazebo
7 but in the winter it was very difficult to stand out in
8 the cold and practice trumpet, flute and whatnot, so
9 there was an issue there with the practical subjects.
10 Q. Again that same paragraph you say there may have been
11 some -- while it made the exams more accessible, there
12 may have been some longer-term negative impacts arising
13 from that decision. Can you tell us a bit more about
14 what these impacts are?
15 GRAHAM HUTTON: Because the syllabus had been restricted
16 somewhat. Therefore, there were gaps in that young
17 person's knowledge which normally they would have. So
18 if they'd been doing higher maths, the amount of areas
19 being covered in the exam was reduced. So when they
20 come -- they came to do advanced higher eventually, they
21 had stuff -- knowledge missing and there was gaps that
22 they had to then fill in to find out how they got on.
23 Obviously, when they went to university, they were
24 also having -- had gaps in their higher courses or their
25 advanced higher courses. They were not prepared to take

1 on the next stage of -- if they were doing a degree.
2 And that compared to maybe what happened elsewhere in
3 the UK where I don't think, if I recollect, that they
4 took that approach and that they still had the full red
5 syllabus for A-levels or whatever the qualification was.
6 So that has continued, I suppose, into university or
7 college in the courses that they're doing. So the
8 gaps -- with the best will in the world, to try and ease
9 the situation and make it more practical, there was,
10 I suppose, a negative impact. For every action, there's
11 an equal action -- reaction. The reaction was that they
12 had gaps in their knowledge.
13 JIM THEWLISS: Could I perhaps add a bit on what -- the kind
14 of difference between the first exam diet and the second
15 exam diet in that much of -- the results for the first
16 exam diet were very largely based on teacher evaluation
17 of what the young people had been doing through the
18 majority of the course of that year. When we looked at
19 the ACM model, it was made very clear to teachers very,
20 very early on that they had to be absolutely robust in
21 the way in which they did their assessments based on the
22 standards which the SQA had done there, and taking that
23 sort of level of robustness on early on, made sure that
24 as the year went on, the teacher estimates were actually
25 pretty much more spot on than they had been in the

1 previous year in relation to making the ACM model work.
2 GRAHAM HUTTON: I would agree with that, and I think in the
3 2020 results, they were mainly based, because we're
4 nearly the end of the academic year, on prelims and
5 examinations and evidence that was quite clear to many
6 teachers about how their young person -- the young
7 people in their class had performed. But obviously,
8 there's still a bit after the prelim where it's not been
9 examined that they have to then -- they had to then make
10 a judgment.
11 The schools then had to make sure they were quality
12 assuring that by looking at trends from the past, by
13 looking at the individual young people. And I spent
14 an awful lot of time with all my 17 departments, at
15 least a couple of hours with them, to look at: how did
16 they come to that -- come to make that decision of their
17 estimates? Now, we normally do have estimates.
18 Estimates go in every year to the SQA, which are --
19 which are part and parcel of the procedures, and
20 particularly when they come to appeals. But with the
21 ACM, that was a different ballgame.
22 We should have had plenty time as schools -- one of
23 the issues, I think, is that also, some schools were
24 absolutely convinced that there would be no exams again
25 in 2021 and therefore, they did, as Jim -- as

1 Mr Thewliss has said, they had prepared. But other
2 schools lived in a kind of fairy land where they
3 thought, actually, there will be exams. Exams will come
4 back, because the highers have to be there, and
5 therefore, didn't do as thoroughly the preparation for
6 the young people to have the evidence that they based
7 their ACM on.
8 So there was a wee bit of a disparity there.
9 I wouldn't be able to quantify the difference between
10 the different schools, but there was that. And,
11 therefore, when -- if a school had built up or
12 a department had built up the evidence, they were in
13 a very strong position to give a very accurate estimate
14 of how that young person had performed, apart, of
15 course, in the practical subjects, which was a bit more
16 tricky, as I said earlier.
17 Again, the quality assurance had to take place
18 within schools, within the departments, with either
19 the -- in my case, with me and with the link depute for
20 that department and going through -- not just looking at
21 the statistics and the trends from the past, but
22 actually at the individual young people and why we --
23 I felt that that young person, given what they had
24 achieved the year before, had achieved this year.
25 And then there was a step where the local authority,

1 in my case, Dundee, came in to our education officers
2 and verified and checked with us and discussed with us
3 how we had -- the processes that we'd gone through to
4 arrive at the ACM estimates and whether there had been
5 quality assurance. So I would actually say it was far
6 more thorough.
7 One other thing that Mr Thewliss has said is about
8 applying the standard, because there's -- a silver
9 lining here is the fact that many more teachers had to
10 be more aware of the standard of the -- that the SQA
11 sets and, more importantly, how to apply that, because
12 usually, that was the bailiwick of markers, who are
13 teachers of the school who volunteered to mark, and the
14 examination teams, who then do the quality assurance of
15 the marking and then come to awarding the cut-off
16 scores, which are all of the grades, the grades A, B, C.
17 So I think that is something that was difficult for
18 a lot of the teachers, who were not involved in the SQA
19 or who had never done marking, to actually learn what
20 the standard was and thus how to apply it.
21 Q. Thank you. I just want to build a little on what you
22 have explained there, the impacts on staff, and you've
23 set that out a little bit earlier on. Mr Hutton, you
24 speak at paragraph 41 of your statement about
25 institutions that schools work alongside. You say:

1 "Institutions such as Education Scotland and His
2 Majesty's Inspectorate of Education were unsupportive
3 and effectively missing in action. I had no contract
4 with either of these bodies during the pandemic."
5 And I understand from your statement that that's
6 something that you concur with also, Mr Thewliss.
7 Mr Hutton, what is the -- what was the impact of
8 that reality for school leaders?
9 GRAHAM HUTTON: Well, there was no impact in the sense that
10 they didn't do anything and they were, I suppose,
11 separate from the rest of education, because they
12 weren't actually in the schools. I think it would have
13 been very useful if they had offered to come in to
14 schools and help particularly with the standards of
15 education, particularly with the HMIE, how -- and
16 Education Scotland about what the standard was to help
17 and support the ACM, and also to help and support
18 covering staff.
19 Now, we've talked about the hubs. We've talked
20 about the return to schools where staff were juggling
21 various things together, both teaching in the classroom
22 and providing online work for those that were off or who
23 had been told to isolate, because at that time, although
24 we were back, we were still having to isolate young
25 people and, you know, I would get a call on a Saturday

1 this saying, "This young person is now infected with
2 COVID. Can you then tell me all the people round about
3 who were sitting within 2 -- within 2 metres?"
4 And, therefore, there were also staff who were ill,
5 and in the second -- after -- after the second lockdown,
6 there was more staff absence from COVID in my school
7 than there had been during the first outbreak and,
8 therefore, we were trying to struggle -- we were
9 struggling covering classes.
10 And it would have been quite useful -- I know
11 there's not maybe a great number of people involved in
12 Education Scotland and HMIE compared to the number of
13 teachers in Scotland, but every little helps, as they
14 say, and if there had been an offer there, I think most
15 headteachers would have bitten their hand off to get
16 them into school to support and get their expertise and
17 use that, because they are, all of them, school leaders
18 as well, or have been leaders in the past.
19 Q. Mr Thewliss.
20 JIM THEWLISS: Can I perhaps come into that one, and it
21 comes back to the start of the earlier description of
22 the kind of three functions of Education Scotland. Take
23 them in reverse order, perhaps, in that Her Majesty's
24 Inspectors visit schools and they visit schools on the
25 basis of determining quality and standards. They pride

1 themselves on their strapline of challenge and support.
2 Now, quite obviously, going out to inspect schools
3 just couldn't be done. Therefore, the challenge part of
4 it was not gonna be there, but there was not a great
5 deal of evidence of any kind of support that came from
6 the HMIE part of Education Scotland during the pandemic.
7 The Scottish College for Educational Leadership,
8 that bit that sat in there as well, again kind of ceased
9 to function a wee bit because it just -- it was not
10 feasible to do that, and I have got no complaint
11 whatsoever, concern at all, over the scaled part of
12 Education Scotland.
13 Q. What is the SCEL part?
14 JIM THEWLISS: Scottish College for Educational Leadership.
15 What they do is support and develop leadership
16 strategies to bring on the next generation of school
17 leaders. So from my organisation's part of it --
18 perspective, very, very useful indeed. But, again, not
19 a great deal for them to kind of contribute at that
20 point. I'll come back to the contribution part later
21 on.
22 The third part was the curriculum development and
23 support part. Now, given the pre-pandemic situation, in
24 that they -- you know, there wasn't really a great deal
25 came to us as a profession from Education Scotland and

1 that part of Education Scotland. If you kind of sort it
2 out, you might find -- might have found bits or piece.
3 Their website in particular was, you know, virtually no
4 use at all. When the pandemic came, therefore, there
5 was not really very much there for that part of
6 Education Scotland to provide to us.
7 And what Mr Hutton described earlier on in terms of
8 a school preparing itself and engaging with its
9 community was what happened across the country. There's
10 not a great deal of support coming our way from
11 Education Scotland.
12 I have, in my statement at one point, kind of
13 related an incident later on, and it was when we were
14 starting to come back out of the pandemic and schools
15 were starting to get themselves back up and running
16 again, and Scottish Government tasked Her Majesty's
17 Inspectorate with getting out there and finding out what
18 had happened within schools and start looking at the way
19 in which we can make things better should this happen in
20 the future.
21 I was on a Zoom call or a Teams -- Teams, perhaps,
22 with various other of the professional associations and
23 representatives from the HMIE part of Education Scotland
24 and they were describing that what they would like to do
25 is come out into schools, have meetings with school

1 leaders, couple of hours, to find out what was happening
2 and how we could take things forward from here.
3 And at which point -- it's touching something Graham
4 said earlier -- I said quite clearly to them, "If you
5 phone up a headteacher today and say, 'I'm from
6 Education Scotland, what can I do to help you,' the
7 answer would be, 'Come in here and teach classes because
8 we really are struggling. Things are getting better,
9 but we really are struggling.'"
10 Second point: if you want to find out what's
11 happening within schools, if you send somebody out to
12 meet a headteacher for a couple of hours, you'll maybe
13 find out something, but headteachers have got much more
14 important things to do at this point in time. And
15 they'll spend time with you, because they do, but you'll
16 find out something; perhaps not an awful lot.
17 And the third thing is you're not really doing
18 yourself any favours in terms of PR if this is what you
19 think headteachers need just now, because we need to try
20 and get schools back up and working, young people back
21 into learning. If you want to find out what's happening
22 in schools, tell me how many people you have in here
23 within Education Scotland who are GTC registered.
24 I'll tell you the number of schools that you could send
25 one of these people to and embed one of them in a school

1 and embed them in schools for three or four weeks.
2 Over that period, they could cover classes. They
3 can talk to staff. They can talk to pupils. They can
4 talk to parents. They can see how the school
5 headteacher is dealing with what's going on. If you
6 want to find out the impact and if you want to find out
7 what's needing to be done in the future, do it that way
8 and you'll find out an awful lot more. You'll
9 increase -- you'll increase your street cred among the
10 profession and you will actually find out much, much
11 more about schools than you will do in any other way.
12 It went nowhere. It didn't happen. I have to --
13 I have got to say I never thought that it would.
14 Q. Thank you, and the Inquiry, of course, will be going on
15 to look at decisions and the implementation of these
16 decisions, so that's helpful information for us there.
17 I want to ask you -- we have spoken about impacts on
18 learners in connection with digital inclusion and you
19 have mentioned a lot about practical subjects and
20 assessments.
21 Mr Hutton, you say at paragraph 76 and following of
22 your statement that there have been some negative and
23 what appear to be, from what you have said, ongoing
24 impacts in relation to the behaviour of children, young
25 people and attendance at school, and also parental

1 engagement, and of course, these are quite discrete, but
2 perhaps linked issues.
3 Can you explain to us why you think these impacts
4 have arisen?
5 GRAHAM HUTTON: If I deal with the attendance first, I think
6 that has gone down by 5 to 10 -- I think it is slowly
7 increase -- improving again, but there still is a large
8 gap, far larger than they had pre-pandemic, of young
9 people actually attending school.
10 And I think as Mr Thewliss said earlier, there is
11 this concept that, "Well, we didn't -- we still got our
12 exams, but we weren't there all the time and, therefore,
13 do we need to be there all the time?" And I think young
14 people have become more independent in many ways through
15 the COVID pandemic and have been left to their own
16 devices and now think, "I'm not engaged with school.
17 What I'm doing here is not really relevant to what
18 I want to do later on in life", and therefore, there is
19 a kind of, you know, "I'm not going to play ball any
20 more".
21 And that is where we are challenged to make sure
22 that the curriculum we are offering our young people
23 meets their needs and suits their needs and that's --
24 again, that's a long-term implication of the COVID
25 situation.

1 There's also, or has tended to be in many schools --
2 and the current President of SLS wrote an article about
3 it that we submitted to the Inquiry about young people
4 who don't truant out with the school, but truant within
5 the school and are refusing to go to classes, who
6 congregate in the toilets or in sneaky corners of the
7 school, and they then build up a following and then they
8 lap the school. In other words, they go round and
9 round, avoiding going to classes and disrupting lessons.
10 And, therefore, even in the best schools, if you
11 want to call them that, where there's usually not been
12 a lot of discipline issues, these have still arisen, and
13 that young people have been turned off by the curriculum
14 and been turned off by their experiences and the gaps in
15 their knowledge that they are not playing ball with
16 staff.
17 And, therefore, that involves, as it was in my own
18 school, the senior leadership team going out into the
19 corridors far more and trying to get these young people
20 to go back to school -- sorry, back to class and learn,
21 and they're wary of the way of doing that in many ways.
22 And it's been a long, long process and it's just one
23 of these hidden implications of the damage that has been
24 done to young people that will go on for many years to
25 come, I'm afraid.

1 There was other one aspect --
2 Q. Behaviour was another aspect.
3 GRAHAM HUTTON: Behaviour, yes. Again, young people had
4 been left, in many ways, to their own devices. They
5 were lonely. They had that lack of social involvement
6 and, therefore, when we came back into a routine that
7 was almost anathema to some of them -- not all of them.
8 I mean, the vast majority of young people fell back into
9 school very easily. A large majority were absolutely
10 relieved to get back to school. They were -- because
11 they were then learning again. They were also
12 socialising again and they were getting some human
13 contact from their colleagues, their classmates and also
14 from the -- from their teachers.
15 And, therefore, for a small minority -- there's
16 always been a small minority in schools who would not
17 behave and who you have to coax and give a bit more
18 support, and that grew in many ways as a result of the
19 pandemic.
20 And a lot of it was low level, I have to say;
21 an increase in low level in discipline. But, again, as
22 we're hearing now -- and the Cabinet Secretary has been
23 trying to deal with us with various summits about how we
24 improve behaviour in young people, and my own feeling is
25 it has to be about making sure they have got the support

1 there and that they have a curriculum that suits their
2 needs and also that the learning and teaching is
3 quality.
4 Q. Yes, the one other aspect there -- sorry, I'd rolled up
5 so many questions into one there, mindful I only have
6 15 minutes at most left.
7 You mention at 78 that there is more parental
8 conflict. First of all, attendance has decreased and
9 both parents and children don't see anything wrong with
10 that, so it's not just the children's perception. You
11 say there's more parental conflict than there used to be
12 with schools. Some parents could not cope with children
13 being at home during the pandemic and they maybe let
14 their children do what they wanted.
15 So this aspect of parental engagement being
16 diminished as a result of the experience during the
17 pandemic period, can you expand on that?
18 GRAHAM HUTTON: What I'm hearing from my colleagues, in the
19 SLS across Scotland, there has been a rise in the amount
20 of arguments, shall I put it that way, that they're
21 having with parents that they probably wouldn't have had
22 in the past, where the parents is -- the parents are
23 absolutely adamant that their child is right and will
24 not -- even when evidence is put to them will not agree
25 to that.

1 So in many ways, it looks to us as if there is --
2 they take the past of least resistance. They have maybe
3 not been able to deal appropriately with the young
4 people when they have been off school and at home all
5 the time. And they have been doing their own work,
6 their employment, if they work -- having to work at home
7 and, therefore, they've allowed the young people to do
8 as they wished or been rather weak with setting
9 parameters.
10 And we've now found out that that has grown and that
11 parents take their young people's side whereas before,
12 that would not have been the case. But this may be
13 a societal change, in many ways, about how we approach,
14 but our view is that we always want to work together
15 with the parents and -- because, at the end of the day,
16 we all have one thing in common; is we want to see the
17 young people in our care and in their care, obviously,
18 do well.
19 Q. You mention there that it may be societal. Is it
20 linked, in your view, to the pandemic experience of
21 lockdown and restrictions and school closures?
22 GRAHAM HUTTON: I would say so.
23 Q. You mention there in your response to my question about
24 conflict and perhaps what might perhaps be viewed as
25 negative engagement. Is that what you're seeing more

1 than disengagement?
2 GRAHAM HUTTON: That's a difficult question for me now that
3 I have been out of school for over a year to say
4 exactly, but I think there probably is more
5 disengagement in a way than there is with arguments with
6 parents.
7 THE CHAIR: Thank you, and the Inquiry is hearing from
8 organisations who represent parents, so we'll be able to
9 speak to them about similar issues to what were raised
10 with you there.
11 Just one final question for you both, and you can
12 decide yourselves who wishes to answer first, and that's
13 to ask if you have any key lessons that you consider
14 should be applied to ensure the impact you've spoken
15 about, be they on school leaders, on their staff, on the
16 learners, and addressed and mitigated.
17 JIM THEWLISS: That's -- you know, very easy to answer
18 yes --
19 Q. Mr Hutton is looking at you, Mr Thewliss, so --
20 GRAHAM HUTTON: Yes.
21 Q. -- thank you.
22 JIM THEWLISS: I think, given the system was tested by the
23 pandemic and what happened within the pandemic ensured
24 that the system was not as robust as perhaps we thought
25 that it was, that the time is now opportune for starting

1 to look at kind of key aspects of education in Scotland
2 and the way in which we run it, on the basis and on the
3 understanding that to do so would mitigate the worst
4 excesses if we ever find ourselves in this position
5 again, but it would also make Scottish education a much,
6 much better -- put it in a much, much better place than
7 it is just now.
8 On the day schools shut down, a significant number
9 of teachers, parents and young people did not understand
10 that there could be a different way of running
11 education. Scottish education has run in the way in
12 which it has run in terms of schools since the
13 Education Act of 1740. Young people, at that point,
14 were obliged to go to a place where they would meet
15 an adult and be in a room and that adult would conduct
16 their learning, and that has been more or less the
17 situation since. It has expanded in some ways. It has
18 developed in some ways, but essentially, up until the
19 day schools closed down at the pandemic, that's the way
20 in which it was.
21 We have got to become much more flexible, adaptable
22 and responsible -- and responsive to the way in which
23 young people live their lives and the way in which
24 society out there has developed in terms of engaging in
25 a way in which young people can develop skills and then

1 use those skills in life beyond school. And bringing
2 young people into a building, essentially sitting them
3 in a room with an adult who tells them a story at the
4 front of the room is not the way to be doing it in the
5 early 21st century, and we've got to look at that.
6 And that has major implications for teacher
7 training. It has major implications for the way in
8 which we design schools and it has major implications
9 for the way in which we spend money and the amount of
10 money which we spend within schools, because we are not
11 meeting needs of an early 21st century society in the
12 way in which the school system runs.
13 Now, added to that, the exam -- the exam system
14 which we have is a system which was developed in kind of
15 the late part of the 19th Century in response to being
16 able to train people to pass a Civil Service exam, and
17 it's evolved slightly since then, but it's essentially
18 the same things. People sit more exams in different
19 subjects, but it's essentially the same. At a period
20 of -- at the end of a period of learning, you're put
21 into a situation where you sit down with a pencil --
22 a pen and a piece of paper and you write down what you
23 have remembered about your learning.
24 That also is not the type of way in which early
25 21st Century society should be working. There are

1 better ways, more effective ways, in ensuring that we
2 use the assessment system to promote, support and
3 enhance learning, and that is going to take major input,
4 major thought and major -- and has major implications
5 for the way in which we train teachers and the way in
6 which we manage the expectations of young people and
7 their parents and employers in relation to the way in
8 which schools operate and what young people are at the
9 point in time when they decide to leave formal
10 education.
11 Now, maybe as you will have perhaps kind of worked
12 out from that, there are major, major discussions to be
13 had within that, but essentially, we cannot carry on
14 doing what we're doing just now in the way in which
15 we're doing it. If we get another pandemic, we might be
16 slightly better prepared, but we won't be prepared -- as
17 prepared as we could be.
18 And what the pandemic -- if any good has come out of
19 this, what it has done is made us look at, understand
20 and reflect upon the quality, standards, effectiveness,
21 relevance of education that we are providing in Scotland
22 just now.
23 Q. Thank you. Yes, that links to something you said in
24 your statement at paragraph 48 about normality within
25 the system now is a different normality to 2019, so that

1 was really helpful of you to build on that. Thank you.
2 I want to come to you now, Mr Hutton. I don't want
3 to cut you off prematurely, but I'm mindful the
4 stenographers will require a break at 3.30 and, indeed,
5 that's when we're scheduled to finish. So I know you
6 may have quite an extensive answer for me, but just --
7 if you can explain briefly any of the key lessons that
8 you think could mitigate some of the impacts you set out
9 for us.
10 GRAHAM HUTTON: I would, first of all, wholly and
11 wholeheartedly agree with what Mr Thewliss has just said
12 about the system. It is not fit for the 21st Century
13 and the status quo cannot continue, and I think the
14 stress test of COVID proved that to all extents and
15 purposes.
16 I think there is a lack of an integrated system of
17 how Education Scotland, His Majesty's Inspectorate, now
18 separate, SQA, or Qualification Scotland as it is about
19 to become, The Centre for Teaching Excellence and all
20 the other various bodies that deal with Scottish
21 education -- they don't hold together. They don't join
22 up and then there has to be a better vision for how they
23 will work and how they will support teachers in order to
24 support the young people. They have to be at the centre
25 and everybody has to be focused on helping them out.

1 I think Mr Thewliss, you know, has highlighted very
2 carefully that the assessment system is -- did want
3 work. It failed again the stress test. The ACM, to
4 an extent, actually worked very well if it's well
5 prepared in advance and the workload issues are looked
6 into to make sure that that is spread over the year.
7 The Hayward review, which was released -- released
8 in June of last year, came forward with a new structure
9 that would have suited exactly what Mr Thewliss has said
10 about meeting the needs of young people in the
11 21st Century, focused on knowledge and skills and how we
12 prepare our young people in order to engage with school
13 for the future.
14 They have to see a relevance, and that was what's
15 maybe come out of the COVID situation of the schools
16 being closed. They could not see what really the
17 relevance was here and how it would impact on there.
18 And if we want to have a successful country and a better
19 economy, we have to make sure that the young people who
20 are going into that in the future, who will look after
21 us in our old age, that they are better trained, that
22 they are better prepared for life in the 21st Century.
23 I think also we've talked about IT, and I think that
24 has to be looked at very carefully; not just the online
25 resources, not just the hardware and the devices being

1 available on a one to one, and I'm hoping that the
2 Scottish Government will be able eventually to come up
3 with the promise that they made that each young person
4 would have a device and connected to the internet, which
5 will help them. And it is a question of equity there to
6 make sure that a lot of young people have an equal
7 chance.
8 I think Mr Thewliss has indicated the pandemic did
9 have a negative impact right across the board, but we
10 were not prepared for it. In many ways, we were
11 fumbling around in the dark to make sure we did the best
12 by our young people and, therefore, we need to make sure
13 that if each school has a business continuity plan,
14 usually in the case of a fire, that we need to look at
15 other things, other scenarios, that will -- could erupt
16 in the future in order to protect the young people and
17 make sure that their learning goes on.
18 And in that case, there has to be really good
19 communication, and I think that was one of the things
20 I learned; that the communication we got from
21 School Leaders Scotland to headteachers and other school
22 leaders was exemplary and therefore, we were able to
23 pass that on. And where we were able to pass it on to
24 our staff and explain the mitigations that had been put
25 in place by the Scottish Government, the better that

1 staff understood and were able to support the young
2 people.
3 That's at the crux of the matter. You know, you get
4 my passion about how the young people are why we are in
5 the job.
6 Q. Thank you.
7 GRAHAM HUTTON: And I think, finally, if you're talking
8 about -- go back to what I said originally. The SQA in
9 particular has to be more adaptive and flexible and
10 empathetic to young people and, I think, involve
11 teachers far more. And I think there is a definite
12 movement there. I think they have learned something
13 from the pandemic that is enabling them to move forward
14 as an -- as an organisation and to become
15 Qualification Scotland.
16 So I think there's a lot of lessons to be learned
17 for the whole of Scottish education and how we bring it
18 together for our young people.
19 MS STEWART: Thank you.
20 Thank you very much, my Lord. I don't have any
21 further questions for the witness, unless your Lordship
22 has anything to ask.
23 THE CHAIR: I don't have any questions to ask, but I would
24 like to say something, unusually, directed primarily at
25 Mr Thewliss, but also taking in what Mr Hutton said, and

1 it's Mr Thewliss' last remarks.
2 If I may say so, Mr Thewliss, what you have said was
3 one of, if not possibly the most forceful and potent
4 observations in relation to the implications and
5 possible lessons that might be learned from this
6 Inquiry, from this pandemic and therefore by the
7 Inquiry, certainly in the context of education.
8 I can assure you that what you have said will be
9 considered by us in the Inquiry very, very carefully,
10 because I did find it very, very powerful. I regret to
11 say at least my initial impression is, and it is
12 an initial impression because I only heard what you said
13 five minutes ago, that much of what you envisage or
14 consider might or, in your view, should be done we will
15 consider to be beyond the scope of our terms of
16 reference, and I feel that it may require other
17 inquiries or methods of investigation and reporting to
18 achieve what you want, but rest assured we will think
19 very hard on what you said.
20 JIM THEWLISS: Thank you very much.
21 THE CHAIR: Thank you. Thank you both for your very helpful
22 evidence.
23 MS STEWART: Obliged, my Lord.
24 THE CHAIR: Right. That brings us to the end of today.
25 We're back tomorrow morning at 10 o'clock and I look

1 forward to seeing you all then. Thank you again.
2 (3.30 pm)
3 (The hearing was adjourned to 10.00 am on the following day)
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