

PE1603/S

Petitioner Letter of 11 November 2016

1. Observations on the responses received by the Committee

Local Authorities

- Less than half of local authorities responded. Their submissions, and information from local authorities previously received, suggests a postcode lottery in how this issue is approached. This suggests there is room for guidance, particularly as this issue relates to the rights and well being of young people.
- We welcome North Lanarkshire's support of all three recommendations of the petition and would be interested to learn more about their current procedures and reasons for supporting the it.
- We note North Ayrshire's reference to School/Employer Partnership guidance prior to partnership or careers events taking place. We welcome the use of the guidance in this context but consider that it could be supplemented with information on how to ensure balance, accuracy and appropriate consultation around armed forces visits to schools – see below.
- Several responses lack detail. Although some councils said they provide guidance they do not include it, give details about the drafting and review process, or how it is accessed.
- Many responses show a lack of awareness of the nature of recruitment, or assume political balance is the same as political context.
- Some responses make unwarranted assumptions about the “logical” extension of recording armed forces visits, or that service children would be impacted. Others cited the Armed Forces Community Covenant as a reason for visits. We feel that none of these should be barriers to more scrutiny and guidance and sensitivity to local armed forces can be maintained while ensure checks and balances.
- It is disappointing not to receive replies from all local authorities. We have some information through Fol requests , but there is real difficulty in building an accurate picture of the situation across Scotland.

Scottish Government

- The assertion that armed forces activities in schools differ from recruitment is problematic (see below).
- We would reiterate that the unique risks and legal obligations of the armed forces career means it is right that checks and balances are applied to their activities in schools.
- While schools are best placed to know the needs of their pupils we believe that, as this issue relates to the rights and wellbeing of young people, a more centralised approach is appropriate.
- How does this issue compare and relate to other areas of Scottish Government policy, relating to child rights and wellbeing?

Scottish Youth Parliament

- We welcome the input of young people and the efforts of SYP to explore this issue.
- We note that, as a rights-based organisation, SYP is concerned that the Committee take into account the UNCRC recommendations (see below)
- While many consulted understood the educational value of armed forces visits, some felt the messages given were not balanced or were damaging. We note that the promotion of a specific type of masculinity was felt by some LGBTIQ+ students to be negative. Some mentioned that schools students are too young to fully understand the implications of an armed forces career. One noted that in a school where emphasis is put on the armed forces, students with differing interests have less provision.
- We support the view of the majority of those consulted, that balanced guidance is necessary and that young people and others should be included in developing it.
- While we agree that it is appropriate for 16 and 17 years olds to be consulted directly on armed forces activities in schools, in some situations additional parental consultation may still be necessary. It is important to remember recruitment can start at 15.

Children and Young People's Commissioner Scotland

- We welcome the Commissioner's support for the petition and his call for 'clear national guidance'.
- We endorse his view that 'even where the stated aim of a school visit is careers advice, the end goal of such an interaction is to increase the recruitment of young people'.
- Regarding consultation, while we note his view that secondary school pupils are old enough to decide themselves about participation 'as long as they are provided with balanced information', we consider that additional parental consultation and communication may be necessary (see below).

AHDS

- We do not consider that the armed forces should be considered the same as other employers. The unique risks and legal obligations of a military career mean that schools should apply checks and balances.
- We believe that pupils and parents must have the same right to object on the grounds of conscience to taking part in armed forces activities, as service personnel have. Managing children taken out of sessions as a result could use similar procedures as for children who do not take part in religious activities.

Ministry of Defence

- We have previously submitted evidence about the limitations of the MoD's definition of recruitment. They define it, in the context of armed forces visits to

schools, as the final act of signing up or making a legal commitment. However, in the context of their strategic planning, 'youth engagement' in schools is understood to be a key component of fulfilling defence recruitment needs; this is evidenced in internal documents and in parliamentary defence inquiries.

- A more common understanding of recruitment would be the process of marketing a career in the armed forces, engaging individuals around the idea and conducting assessments and interviews leading towards the final act of signing the enlistment papers. All but the last of these stages take place within the education system.
- Visits to schools include careers events and presentations for specific year groups. The armed forces also work with individuals and small groups, providing work experience or participation on residential 'look at life' or Army Insight courses at military bases over 4 or 5 nights for pupils aged 14 and above. They also interview students at school who are expressing an interest in joining up.
- As with any visit by an outside organisation, armed forces visits are of course arranged with schools beforehand. However, the armed forces do send out requests for invitations to schools initially.
- The remainder of the MoD's submission focuses on the age of recruitment, rather than recruitment activities carried out in schools. This points again to how the two are related.
- We find the MoD's position on the UN Convention on the Rights of the Child and the Optional Protocol on the Involvement of Children in Armed Conflict to be rather misleading. The UK Government has in fact received significant criticism for recruiting under-18s and the way in which it recruits – see below. Most pertinent to this petition, the UN have stated that 'military recruiters' should not be in schools.
- Far from being 'fully committed' to its obligations, the UK refuses even to review the situation. Neither are we reassured by the vague statement that they 'have taken steps to bestow special safeguards' on under-18s. Given the numerous safeguarding and wellbeing issues that affect this age group, we would expect the MoD to provide more detail. The Scottish Government's has already requested more information on this in the light of the Army's aim to increase recruitment from this age group – see below.
- It is unclear which information the MoD were unable to provide. The very general statistical data which the Committee are directed to is unlikely to shed any light on what happens in schools.

2. New information and developments to inform the Committee

New relevant reports

The Medact report examines psychological and psychosocial research showing that teenagers are less likely than adults to have all the faculties that would equip them to be guarded against persuasive and unbalanced information, and to make informed and

well-processed choices involving long-term personal risk.¹ The UN Committee on the Rights of the Child recommends raising the age of recruitment and that 'military recruiters access to schools be strictly limited'.

While these reports refer to the UK policy of recruiting under-18s, it is armed forces activities in schools that provide much of the pre-recruitment engagement required to recruit 16 and 17 year olds.

Medact²: 'The Recruitment of Children by the UK Armed Forces: a critique from health professionals', 2016

The report discusses the biological and physiological reasons why children should not be encouraged to make a decision to join the armed forces:

'16 and 17 year olds (and to a lesser extent, many young adults as well) are still maturing emotionally and intellectually. This period of development is characterised by more impulsive and emotionally driven decision-making, which is only tempered by cognitive and rational decision-making processes later in the developmental trajectory'.

The report further states that military recruitment marketing and practices take advantage of adolescent cognitive and psychosocial vulnerabilities. In addition, child recruits are more vulnerable to PTSD, alcohol abuse, self-harm, suicide, death and injury when compared to adult recruits. They are more likely than adults to end up in riskier frontline combat roles, due to the limited pathways open to the youngest recruits.

The report provides a strong argument that national guidance to ensure balance is in the best interests of Scottish children.

Concluding Observations of the United Nations Committee on the Rights of the Child (UNCRC), 2016

The UNCRC recently reviewed the UK's position on implementing the Convention on the Rights of the Child. The submission of the Children and Young People's Commissioner discusses the concerns and recommendations made by the UNCRC related to the recruitment of children (under-18s). We draw particular attention to the recommendations that:

- recruitment is 'genuinely voluntary and based on fully informed consent' and 'does not have a discriminatory impact on children of ethnic minorities and low income families'.
- 'recruitment practice does not actively target persons under the age of 18 and ensure that military recruiters' access to school be strictly limited'.

These recommendations reflect the UNCRC's concern that the armed forces carry out pre-recruitment activities at a young age in schools, with emphasis on areas of disadvantage and marketing practices that fail to give a balanced view of life in the

1 See for example, an interview with Dr Frances Jenson, brain development specialist and Chair of Neurology at the University of Pennsylvania at www.forceswatch.net/blog/making-link-child-development

2 Medact is a UK charity for health professionals that educates, analyses and campaigns for global health on issues related to conflict, poverty and the environment. <http://www.medact.org>

armed forces.

The Scottish Government expressed concern to the UNCRC about potential child welfare implications of the Army Board's statement that they seek to increase the recruitment of personnel under 18.³ The Government has written to the Army for assurance; we do not know if they have received a reply.

Education/apprenticeships

The armed forces promote their jobs as 'apprenticeships'; however, in practice these are the same as other army jobs with all the same contractual obligations. The relevance of many of these apprenticeships to civilian life has been criticised by Child Soldiers International.⁴ They state that, 'Recruits at Army Foundation College Harrogate are enrolled onto a 'Public Services Apprenticeship', which consists mainly of accredited units of infantry training with little or no transferable value to future civilian employment.'

A recent study suggests information about apprenticeships is not distributed well in schools in Scotland.⁵ One in ten students said they thought apprenticeships offered no recognised qualification, while 87% underestimated salary. One in three said information about opportunities at their school or college was poor or non-existent. This underlines our concern that pupils are not being made aware of the many work-based educational opportunities on offer, and that armed forces apprenticeships may be being privileged.

New information on armed forces visits

Recent information suggests that **armed forces visits to schools, and the way that they are being recorded, are changing**. An FOI request for 2013-2105 data from the army showed only Army in Education (AiE) visits and that 85% of these visits, to both schools and colleges in Scotland, were careers-related.⁶ A dataset for 2015-16 records a similar percentage of careers-related AiE visits.⁷

This could suggest that the army is **focusing more on careers activities** in schools. However, it could also be that **curriculum-related visits are not recorded** as these are covered by other parts of the armed forces.

Recently the armed forces have increased their involvement with science, technology, engineering and mathematics (STEM) education. These activities are delivered by various parts of the armed forces including Army Youth Engagement and British Army Outreach, RAF Youth Engagement, the Royal Navy and the Armed Forces Careers Offices; and also by the MoD's Defence Engineering organisation and a 'Roadshow

3 Scottish Government, March 2016, List of issues in relation to the fifth periodic report of the United Kingdom of Great Britain and Northern Ireland: Scottish Government response, www.gov.scot/Resource/0049/00497287.pdf, para 66

4 http://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GBR/INT_CRC_NGO_GBR_21053_E.pdf

5

http://www.heraldscotland.com/news/14310096.Pay_misconceptions_putting_school_leavers_off_apprenticeships/

6 For data see <https://www.gov.uk/government/publications/foi-responses-published-by-mod-week-commencing-2-november-2015>, additional analysis by ForcesWatch.

7 For data see https://www.whatdotheyknow.com/request/army_school_recruitment, additional analysis by ForcesWatch.

Team' which is run by BAE Systems and works with the RAF and Navy to deliver activities in schools.⁸ The MoD are also developing partnership memorandums of understanding with a range of other STEM providers.

This data shows an increase in recorded Army visits to schools and colleges in Scotland from 95 between 2013-14, 170 between 2014-15 and 209 between 2015-16. Given the MoD's admission in 2013 that the Army 'does not have confidence in the consistency or completeness of individual school data', this increase could be reflecting the improved data collection that the same document said would be forthcoming.

The 2015-16 army data includes eight visits to **special schools** in Scotland – for pupils with learning difficulties or pupil referral units. Along with **primary schools**, we feel that it is unacceptable to visit these schools as younger pupils and those with additional needs are particularly vulnerable to sophisticated marketing messages.

The Army has stated that it 'only engages with students in Academic Year 9 (Scottish S3) and above'.⁹ We would like to see this **age-related commitment** extend to all types of engagement and across the armed forces. There is evidence that primary and younger secondary school pupils still take part in armed forces careers activities.¹⁰

Capita

The private company Capita holds the army recruitment contract. Its Outreach teams promote army careers by going to schools. FOI correspondence states that the Recruiting Partnering Project contract 'provides direction from the MOD to Capita to define an education strategy and to implement engagement, which is carried out through the Army in Education programme'.¹¹

A recently advertised Capita position for a Careers Advisor based in the Aberdeen Army Careers Office states that the successful candidate will be, 'Working proactively with schools and colleges in their area to promote Army careers through presentations, educational activities, supporting schools careers advisors, providing individual advice, guidance and nurturing and organising other RPP support (e.g. Outreach Teams) as appropriate'.¹²

With Capita facing criticism that their recruitment targets are not being met, it is a concern that they are systematically tasked with furthering this agenda in schools. It also makes the claim that the armed forces do not recruit in schools even less credible.

Recent examples

From a pupil in Kilmarnock

'Our school was organising interviews for pupils and specialists in careers, and

8 http://www.eveningtimes.co.uk/news/14732981.Navy_and_air_force_helping_Glasgow_pupils_learn_science/

9 <https://modmedia.blog.gov.uk/2015/06/06/defence-in-the-media-6-june-2015/>

10 For example this tweet about RAF careers for S1 pupils
<https://twitter.com/ElginAcademyHT/status/778149552050372608>

11 https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/442909/Role_Capita_Army_visits_to_schools_since_2012.pdf

12 <https://uk.linkedin.com/jobs/view/147715333>

the military had a presence and all they talked about was how the army is full of "adventure" and fun. They also only focused on the humanitarian side of the army and not showing the real side of the army or telling people about the implications/legal rules around being in the army at all.'

The pupil provided a photo of a **British Army Generic Job Description** which was posted up in his classroom. The text starts with, 'Whoever you are, whatever your ambitions, you can achieve them in the Army.' A number of roles are then briefly described; in describing Combat, the text simply says, 'Whether keeping the peace in war-torn areas or delivering aid, the life of a combat soldier is varied and exciting.'

The text then states:

'There are plenty of rewards for joining the Army, but the most important is to be part of a team which lives like a family, with all the camaraderie that offers. You'll be in a job crammed full of action and responsibility. Play, is a serious business too, with plenty of sport and adventure, but we'll also help you develop yourself and gain qualifications. And there's the pay and benefits package and the change of promotion up the ranks.'

The job description does not mention any legal obligations, terms of service or potential risks.

From a careers fair

The recent Skills Scotland careers fair in Edinburgh had stalls run by the army, RAF and navy. The army had on display a Jackal vehicle which young people could get in. The vehicle was also used to advertise the Scottish Apprenticeship Show, organised by Skills Development Scotland and the Daily Record, in October. This event was sponsored by the British Army and RAF, among others, which gave them numerous speaker slots during the event.

We have also heard anecdotal evidence of the armed forces taking military hardware into schools. We do not consider this appropriate for a number of reasons. Perhaps most importantly, the education system is a place to encourage a more nuanced and balanced view of the military; this can become obscured by the presence of military weapons and vehicles.

3. Further consultation and inquiry

Groups with an interest in the issue but not yet formally consulted:

- Organisations representing **teachers and parents**, such as the Educational Institute for Scotland and Scottish Parent Teacher Council.
- **Schools**, exploring why some have visits and others do not, and experience an armed forces presentation.
- Organisations working on **children's rights** such as Together (Scottish Alliance for Children's Rights) and Children in Scotland.
- Other organisations for **young people** such as LGBTQI+ groups and youth wings of political parties.

- **Veterans**, who have experience of armed forces activities in schools affecting their choices, such as Veterans for Peace and the British Legion.
- Organisations providing **careers** information and activities such as Skills Development Scotland.
- **Other organisations**, such as Capita, which help to deliver visits to schools about the armed forces.

Further questions:

- How can **careers providers** and the Scottish Government's Developing the Young Workforce Strategy help to ensure balance and guidance around armed forces visits to schools? Should the existing guidance on School/Employer Partnerships be referred to by local authorities for all relationships, including those outside the Partnership scheme? Should the forthcoming review of the guidance documents be extended to include information specific to armed forces visits to schools? See below.
- How can **existing school data collection systems** integrate information on visits by the armed forces.
- How can the **armed forces** improve their data collection and make data more accessible for monitoring?
- How are individual **local authorities** approaching providing guidance or consulting parents, to inform how this could be standardised across Scotland as a whole.

When and how should consultation take place, and who should be consulted?

As this issue encompasses the rights and welfare of young people as well as the need to inform them and provide opportunities, it involves consideration of both the choice of the individual and the parent's right to know. There may be different levels of student and parental involvement for different types of activity requiring a different approach to consent, consultation and communication.

Using careers frameworks

The Welsh Government accepted all three recommendations from the Welsh Petitions Committee after a similar inquiry concerning armed forces visits to schools in Wales. Their response provides an example of how existing careers frameworks could be used in Scotland, such as the 'Enhanced Employer Engagement project', the 'Successful Futures' programme and the 'Qualified for Life programme'.¹³ The Scottish Government could similarly implement policy around ensuring balance, parent-guardian consultation and transparency as part of the Developing the Young Workforce Strategy (DYW).¹⁴ This could be achieved by adding to the existing guidance.

The DYW strategy aims for all secondary schools to have active partnerships with employers by 2018/19. Most local authorities in Scotland now have employer-led

13 <http://www.assembly.wales/laid%20documents/gen-ld10363/gen-ld10363-e.pdf>

14 http://www.educationscotland.gov.uk/Images/DYWResponseYouthEmpl%20Strategy_tcm4-853595.pdf

Regional Groups established to support this. The Scottish Government has produced guidance to schools, local authorities and employers engaged in this scheme.¹⁵ The guidance includes Regional Groups developing a register of the employers in the region who wish to work in a long-term partnership with the school and can offer a range of opportunities. Recording, and making publicly available, data about employer engagement in schools – including those who are not entering into a specific partnership according to the DYW strategy - could be part of the work of these Regional Groups.

The Government guidance also says that Regional Groups should work with local authorities to develop an approach or template to be used for scoping and agreeing the detail of partnership between schools and employers. Both Government guidance and template could include detail on ensuring balance and accuracy in information provided by employers.

The guidelines also say that when planning a school/employer partnership, Regional Groups, local authorities and schools must involve Parent Councils to help young people make informed choices. This guidance could be expanded to cover consultation and communication about armed forces visits to schools, and to ensure that Parent Councils are involved in discussions about the relationship between the armed forces and their school.

4. Suggestions for way forward

We would like to see the overarching approach to this issue to come from a **child rights and welfare** perspective, recognising the UK as a signatory to the UN Convention on the Rights of the Child and the Scottish Government as a body that leads on children's rights and welfare. We would also refer to the legal requirement of schools and local authorities to act *in loco parentis* and safeguard the rights and wellbeing of children in their care. Some of the submissions suggest that there is a lack of awareness around the details of the issue and the concerns it raises, and a lack of recognition about what constitutes a recruitment activity.

We also recognise that there is clear concern that measures put in place do not overburden teachers or schools. It would therefore seem sensible to explore **how existing policy and practice can accommodate** the scrutiny, guidance and consultation that the petition calls for. We have considered in 3. how ways forward that both utilise existing policy could be explored.

In the light of the submissions and the additional material we present here, we suggest that there is a need for:

- Further inquiry as suggested in 3. to ascertain views, current practice, and explore ways forward.
- Further inquiry into armed forces visits to special schools and if this should be prohibited.
- More awareness amongst schools and local authorities about the issues,

15 <http://www.gov.scot/Resource/0048/00485674.pdf>, <http://www.gov.scot/Resource/0048/00485693.pdf>

which could be provided through guidance.

- A clear and coordinated national approach.
- Involvement of young people, parents, teachers and others in drawing up guidelines.
- Parental consent should be mandatory for vulnerable or younger children.
- Commitment from the armed forces that activities will not be provided for children below S3.
- Commitment from the armed forces to make accessible good quality data that covers the range of ways in which they engage with young people within the education system.
- Clarity and assurance provided to schools and local authorities that data collection and consultation will not provide an unnecessary additional burden for schools, or conflict with other interests.