



The Educational
Institute of Scotland

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Cabinet Secretary
for Education & Skills

Ref: EIS/IMT/AK/JH
Date: 25th October 2024
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Dear Cabinet Secretary,

Instrumental Music Tuition

I am writing to you on behalf of the EIS's Instrumental Music Teacher Network to raise concerns about proposals to remove East Ayrshire Instrumental Music Service (IMS) from the local authority's Education Department and outsource it to East Ayrshire Leisure Trust, a move which we believe fundamentally undermines the policy direction of key Scottish Government manifesto commitments in this area.

- *Provision of Free Instrumental Music Tuition for All Pupils*

When the Scottish Government's manifesto commitments for instrumental music tuition were announced, they were roundly welcomed, particularly as they were set in the wider policy context of removing cost barriers to education, with a pledge to develop a sustainable and funded model for future years. The manifesto commitments, for the first time, gave Instrumental Music Teachers (IMTs) some reassurance both in terms of continuity of employment but also in relation to the ongoing commitment to widen participation in music education for all children and young people, especially for those from socio-economically disadvantaged backgrounds.

In East Ayrshire, the hard work and commitment of IMTs, together with the removal of fees, has resulted in an almost 20% increase from 2019/20 in the number of children and young people participating in tuition¹, with over 21% of participating pupils living in the two most deprived areas of the authority.

However, despite the success of the IMS in East Ayrshire and the evident efforts to provide equitable access to tuition, the current proposal is that this valuable service be removed from Education and placed within an arm's length trust, over which the local authority would have limited power to influence delivery.

¹ https://www.improvementservice.org.uk/__data/assets/pdf_file/0025/46537/IMS-Survey-Report-2023.pdf

The EIS is concerned that the proposed removal will impact on the continued equitable access to tuition, particularly for the most vulnerable learners, who should benefit most from the removal of tuition charges. The experience of our members is that where instrumental music tuition has been transferred to trusts in other jurisdictions, the introduction of fees quickly follows.

Any re-introduction of charging will not only be contrary to government policy in terms of the provision of free tuition – policy which is supported by the allocation of Scottish Government funding to local authorities – but will also further the divide and inequity in educational provision between those who can afford to pay and those who cannot. Children, young people and their families in East Ayrshire deserve the certainty that free instrumental music tuition will continue on a long-term basis, in line with government policy, and that their children’s right to access tuition will not be dependent on the outcome of the fragile renegotiation of a Service Level Agreement.

- *Mainstreaming*

Recognising instrumental music tuition as an integral aspect of Curriculum for Excellence, the Scottish Government’s 2021 manifesto commitments pledged to ‘mainstream music as a core subject of Scotland’s education system’.

With performance representing 50% of the assessment in National Qualifications in Music, IMTs deliver essential tuition to prepare young people to complete SQA practical assessments to the requisite standard. Engagement in tuition in Primary and the early stages of Secondary is also essential to ensure that there is the progression and development of skills to enable pupils to reach the requisite standard. The Scottish Government’s commitment to mainstreaming also acknowledges that the impact of IMTs goes far beyond this narrow, but important, academic focus and has long been shown to support the health, wellbeing and holistic development of the young people they teach.

The persistence of East Ayrshire Council (EAC) in categorising instrumental music tuition as ‘extra-curricular’, falling within Leisure and Culture, fails to recognise the professionalism and extent of the role which IMTs play. The proposed removal of the Service from Education to a leisure trust further dilutes the educational focus of this key service for children and young people, contrary to the policy direction set by the Scottish Government nationally.

- *GTCS Registration for IMTs*

Registration with GTCS is a mark of teacher professionalism. It recognises that IMTs perform a professional role in Education which requires a body of knowledge, and the development of skills and experience to effectively deliver instrumental music tuition as part of the Broad General Education; to support the holistic development of a wide range of learners; as well as contribute to learning associated with qualifications in the

senior phase. It recognises that IMTs are required to adapt their pedagogy across settings, working in both Primary and Secondary sectors.

With work ongoing at a national level to progress this manifesto commitment, the proposals from EAC to remove IMTs from Education and indeed, from local authority employment, undermine the clear policy intent underpinning GTCS registration.

Furthermore, in the event that GTCS registration for 'school-based' IMTs is implemented, it is unclear how this will impact on those IMTs in East Ayrshire who would no longer be employed by a local authority. We would also question how the statutory requirements around the employment of GTCS registered teachers in schools² will impact on the ability of EAC to continue to engage in these arrangements.

Lack of Meaningful Consultation

In addition to the proposals being in direct conflict with existing Scottish Government policy, we have also raised concerns about EAC's lack of meaningful consultation with the EIS, as the trade union representing the majority of IMTs affected by these proposals.

The first formal consultation meeting took place on Friday, 11 October, less than three weeks before the final decision will be taken by EAC and at a time when preparation of the final report was, in all likelihood, well advanced.

One informal information session was held for staff on 5 September, at which we raised significant concerns about the potential impact of the proposals on both IMTs' terms and conditions of employment, and their status as education professionals.

During both meetings, Officials of EAC have been unable to fully explain the rationale for change. The fact that the same level of funding to operate the Service is being ring-fenced in management fees to the Trust, indicates that there will be no financial savings to the local authority from the transfer. In fact, Council Officers have confirmed that the Trust's business model will not be impacted, whether the IMS is outsourced or not. As such, the reasoning for the proposed transfer remains fundamentally unclear. If the money can be ringfenced to give to the Trust, then it should be protected such that the Service remains within Education.

We have also yet to receive from EAC relevant essential documentation, such as an Equality Impact Assessment or Children's Rights and Well-being Impact Assessment, which are integral to meaningful and transparent consultation, as part of the Fair Work Framework – as co-created and promoted by the Scottish Government.

² The Requirement for Teachers (Scotland) Regulations 2005

Contractual Implications

The proposals from EAC also undermine nationally agreed collective bargaining arrangements and could result in a situation where a group of staff currently covered by SNCT terms and conditions are treated differently to their colleagues across Scotland.

Whilst TUPE provisions provide some immediate assurance that current terms and conditions will transfer, there is no guarantee that they will continue in the medium to long term. This situation fundamentally undermines the collective bargaining arrangements, set nationally, to ensure equitable terms and conditions across Scotland for workers covered by the SNCT.

Conclusion

It is clear that the proposed transfer of East Ayrshire IMS to an arm's length trust, by an SNP-led Council, will jeopardise implementation of the Scottish Government's manifesto commitments. If this transfer is allowed to progress, other local authorities may seek to implement similar arrangements, effectively privatising a key aspect of Scottish Education and thwarting plans for the continued roll-out of equitable access to free instrumental music provision for all children and young people.

We would, therefore, urge you to intervene in this situation, to impress upon EAC the importance of the service remaining within Education if SNP policy is to be implemented effectively – particularly as this would remain a cost-neutral option - and to allow the IMS to continue to deliver the high-quality tuition for which it is known and respected; to continue to support the children and young people with music education in that area; and to ensure that East Ayrshire IMTs are afforded the same protection within their employment as their colleagues in local authorities across Scotland.

Yours sincerely,

Anne Keenan

Assistant Secretary (Education & Equality)