

Edition #1 - 2022

ADES Advice document

Re: Armed Forces Covenant Duty – Statutory Guidance



## **ADES Advice to Local Authority Lead Officers for Armed Forces Children, Young People & Families in Scottish schools, and Early Learning and Childcare settings.**

‘The Scottish Government, Local Authorities, Schools and the Armed Forces in Scotland work closely to make sure that children and young people of armed forces families benefit from the same standard of, and access to, education as any other children or young people in their area.’ [refreshed from Reviewing Our Commitments – Scottish Government 2016]

Purpose:

This document has been prepared as an aid to all local authority lead officers for armed forces families and their children in understanding the requirements of the [Armed Forces Covenant Legislation](#)<sup>1</sup> that came into force on the 22 November 2022. The information will help to raise awareness of the expectation to have ‘due regard of the Covenant’ and provide suggestions to support the provision of evidence, that this obligation is being fulfilled as required.

Local authority Lead Officers are those nominated as members of the ADES network, Armed Forces Families Lead Officers (AFFLO). This document can be accessed on ADES [Forces Children’s Education](#), where a PDF version is available to download. It is intended that the information and language contained in this advice document is also accessible to individuals who are not working within the Scottish education system, such as parents.

This ADES Advice has been developed to complement the MOD [Armed Forces Covenant Legislation Guidance UK document](#).<sup>2</sup> It provides a Scotland-specific context and perspective

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<sup>1</sup> [The New Armed Forces Covenant Duty: What organisations in scope will need to know - Armed Forces Covenant](#)

<sup>2</sup> [Armed Forces Covenant Duty Statutory Guidance - GOV.UK \(www.gov.uk\)](#)

that identifies the structures, processes and policies already rooted in Scottish education that address the needs of children and young people of armed forces families. Areas of concern, challenges, and barriers that might be faced by armed forces families and their children are identified, with some suggestions and links to resources for further information which will assist in overcoming these challenges.

**NOTE:** Quotations have been included to clarify legislation and policy and are identified in **purple text (italics)** for ease of recognition. [Blue text](#) indicates hyperlinks.

***Edition #1*** provides examples from local authorities with many children and young people of armed forces families in their schools, but they do not have permanent MoD station/camp/base locations. These authorities, the majority across Scotland, have not been eligible for funding grants to support this heterogeneous, yet distinct population. It will be these examples of good practice that provide a baseline of response to the Armed Forces Covenant Duty.

The next stage of this Advice document (***Edition #2***) will offer examples of good and interesting practice from local authorities that have significant numbers of armed forces families. These are the few key authorities (7/32) that have been eligible and received grants over many years, from the Armed Forces Covenant Trust Fund – Education Support Fund (formerly the MoD ESF) to enable projects that support children and young people of Armed Forces families in their schools and settings.

Acknowledgement and appreciation: a small group of local authority lead officers, members of the ADES Armed Forces Families Lead Officers network (AFFLO), devoted their time, effort, and experience to work with the ADES National Education Officer (NEO) in developing this resource. Thanks go to Glenda Gray, Aberdeenshire, Andrew Bowles, Dumfries and Galloway, and Les Obre (formerly South Lanarkshire), for their involvement and valuable guidance.

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## 1. Background & Context

### **This ADES Advice relates to the Statutory Guidance on the Armed Forces**

**Covenant Duty**, covering the United Kingdom (issued under section 343AE of the Armed Forces Act 2006)

#### Statutory Guidance (Armed Forces Covenant Duty)

*“The purpose of this guidance is to assist the specified bodies comply with their legal obligations, by providing information about the Duty and those people within the Armed Forces Community who are beneficiaries of the Duty.*

*It highlights the issues these people can face as a result of Service life, and illustrates good practice in the areas of healthcare, education and housing.”*

#### Context

*“The Armed Forces Act 2021 amended the Armed Forces Act 2006 to include sections 343AA to 343AF. These place a duty (the ‘Covenant Duty’) on specified public persons or bodies (“relevant bodies”), to have due regard to the principles of the Armed Forces Covenant. The Covenant Duty came into effect on 15 December 2021.”<sup>3</sup>*

This Guidance is issued under section 343AE of the 2006 Act which provides that the bodies subject to the Covenant Duty must have regard to this Guidance when exercising a relevant function.” [MOD document March 2022]

#### Background:

The Bill states at Section 343AC,

Due regard to principles: Scotland

- (1) In exercising in relation to Scotland a relevant function, a person or body specified in subsection (3) must have due regard to –
  - a. the unique obligations of, and sacrifices made by, the Armed Forces.
  - b. the principle that it is desirable to remove disadvantages arising for service people from membership, or former membership of the Armed Forces.
  - c. the principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the Armed Forces.”<sup>4</sup>

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<sup>3</sup> <https://www.gov.uk/government/news/new-armed-forces-bill-passed-in-parliament>

<sup>4</sup> [www.armedforcescovenant.co.uk](http://www.armedforcescovenant.co.uk)

Facts:

- All Scottish local authorities have Armed Forces children with regular, reserve and veteran family backgrounds.
- All Scottish local authorities and the Scottish Government support the Armed Forces Covenant.
- All Scottish local authorities have an officer designated as the lead for Armed Forces children’s education.
- The ADES national education officer has organised and maintains a number of networks of local authority officers (AFFLO), headteachers and other professionals to promote the educational interests of children of members, and former members of the Armed Forces. These networks are actively supported.
- A statutory duty already exists through section 2 of the Standards in Scotland’s Schools Act, 2000 that education authorities are to “secure that the education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential”.
- So far as the education of children and young people is concerned a requirement to have “due regard” already exists in Scotland through the provisions in the Education (Scotland) Act, 2016. Sections 3A and 3B of that Act imposes a duty of “due regard” on Scottish Ministers and education authorities to reduce inequalities of outcome for all pupils. This by default also includes those pupils from families with an armed forces background.
- This basic obligation is underpinned by a statutory mechanism, the National Improvement Framework, of planning and reporting at national and local levels.
- The Scottish education system is inclusive, as illustrated by its main features:
  - All state secondary schools are comprehensive,
  - The National Improvement Framework commits to: “Achieving equity: ensuring every child has the same opportunity to succeed.”<sup>5</sup>
  - By virtue of section 15 of the Standards in Scotland’s Schools Act, 2000 there is a legal presumption of mainstream education.
  - The Education (Additional Support for Learning) (Scotland) Act 2004 as amended established in law a broad definition of children entitled to additional support in education. That definition is much broader and inclusive than elsewhere in the UK. According to figures published by the Scottish

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<sup>5</sup> “Achieving Excellence and Equity 2021 National Improvement Framework and Improvement Plan”, Scottish Government, December 2020, page 6.

Government for 2019, 27% of all primary school pupils and 35% of all secondary school pupils were assessed as having an additional support need.

- The statutory guidance<sup>6</sup> issued in association with the Education (Additional Support for Learning) (Scotland) Act 2004 specifically recognises:

*“Children or young people may require additional support for a variety of reasons and may include those who ..... are children of parents in the Armed Forces”.*

A further layer of protection will be introduced in the event of the terms of the United Nations Convention on the Rights of the Child (Incorporated)(Scotland) Bill being enacted.<sup>7</sup>

## 2. The Armed Forces Covenant

*Is an Enduring Covenant Between The People of the United Kingdom, His Majesty’s government – and – All those who serve or have served in the Armed Forces of the Crown And their Families.*

### **The first duty of Government is the defence of the realm.**

Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service (including the Royal Marines), the Army, and the Royal Air Force, together with their families.

### **They deserve our respect and support, and fair treatment.**

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past (Veterans), and their families, should face no disadvantage compared to other

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<sup>6</sup> Supporting Children’s Learning: Statutory Guidance on the Education (Additional Support for Learning) Scotland Act 2004 (as amended) Code of Practice (Third Edition) 2017, Chapter 1, section 2, page 11 <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/12/supporting-childrens-learning-statutory-guidance-education-additional-support-learning-scotland/documents/00529411-pdf/00529411-pdf/govscot%3Adocument/00529411.pdf?forceDownload=true>

<sup>7</sup> <https://www.parliament.scot/bills-and-laws/bills/united-nations-convention-on-the-rights-of-the-child-incorporation-scotland-bill>

citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this [Covenant](#).<sup>8</sup>

### **Examples of “Unique Sacrifices and Obligations”**

- Mobility

*To ensure that our Armed Forces are highly mobile and can respond to threats quickly, they have little say over where they are posted – this is especially so for the most specialist roles and services. The needs of the Service will always come first, and Armed Forces personnel must also be prepared to be posted elsewhere at very short notice (and often may move several times in a short period).*

- Emotional Stress

*Everyday family life has its up and downs. Life for members of an armed forces family, whether they're regulars, reservists, or veterans, or their spouses, partners or children, can have additional worries. These include:*

- *Stress around deployment*
- *Extended and repeated periods of separation from spouses and partners*
- *Social isolation from family and friends*
- *Additional and sudden caring responsibilities.*

(extract from the Armed Forces Covenant Legislation, Policy Document (2020, page 3).

### **The Covenant set the following goals with respect to Education:**

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<sup>8</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/578212/20161215-The-Armed-Forces-Covenant.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/578212/20161215-The-Armed-Forces-Covenant.pdf)

- *children of members of the Armed Forces should have the same standard of, and access to, education (including early years' services) as any other citizen in the area where they live.*
- *there should be special arrangements to support access to schools if a place is required part way through an academic year as a result of a family having to move for Service reasons.*

### **Key aim:**

That children and young people of Armed Forces families receive the support they need to address barriers to participation, learning and achievement; promote positive mental health and wellbeing; benefit from the development of high-quality education which is sustained; and achieve their full potential.

### **3. The Scottish Government**

*The Scottish Government recognises that children from UK Armed Forces families may at certain points of their education require additional support to benefit from school education in Scotland due to the nature of their parents' and carers' employment within the Armed Forces.<sup>9</sup>*

The rights of children of members of Armed Forces families, or former members of the Armed Forces, are already extensively protected through the general duties of education authorities and through specific measures such as those in the Code of Practice associated with the education (Additional Support for Learning) Act, 2004. The imposition of an additional “due regard” duty complements those existing legal obligations. Evidence from practice shows that these existing legal obligations are taken seriously by education authorities as applied to children with an Armed Forces background.

The Scottish education system is underpinned by values of inclusion and well-established self-evaluation, planning and reporting mechanisms. Any additional legal burden of “due regard” should not detract and distract from these existing mechanisms. It is accepted however, that although it is contended that the correct legal protections for Armed Forces children's education are in place, and that to a large degree these are supported in practice, there is a continuing requirement to ensure a consistency of practice. This will be best achieved by a continued emphasis on Armed Forces children using existing mechanisms

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<sup>9</sup> <https://www.gov.scot/groups/scottish-armed-forces-education-support-group/#:~:text=The%20core%20purpose%20of%20the,Armed%20Forces%20families%20in%20Scotland.>



associated with the National Improvement Framework (NIF), Additional Support Needs implementation and the work of the ADES national education officer (NEO).

The Education (Additional Support for Learning) (Scotland) Act 2004 places a duty on local authorities to identify, assess and provide for the additional support needs of all children for whose education they are responsible. Additional support needs are broadly defined, including those which might impact on children from Armed Forces families, such as transitions, interrupted learning and dealing with separation and loss.

These support needs can occur at any time during a child's education and may be temporary or longer term. The nature of the support will vary based on the individual child's needs and could include pastoral support as part of the universal support offered by teachers or other professionals. Our commitment is to ensure that any barriers to learning are minimised in order that all children and young people get the support they need to reach their full potential.

**All 32 Local Authorities in Scotland** are signatories to the Armed Forces Covenant. This means that each council acknowledges and understands that those who serve, or who have served in the Armed Forces, and their families, should be treated with fairness and respect. The Covenant focusses on helping members of the Armed Forces community have the same access to government and commercial services and products as any other citizen and ensures that they suffer no disadvantage as a result of their Service.

#### 4. The Armed Forces Covenant Duty – Legislation 2022

The Armed Forces Act 2021 amended the Armed Forces Act 2006 to include sections 343AA to 343AF. These place a duty (the 'Covenant Duty') on specific public persons or bodies ("relevant bodies"), in the exercise of certain statutory functions ("relevant functions"), to have due regard to the principles of the Armed Forces Covenant.

The purpose of this Guidance is to provide further information about the Armed Forces Community and the supporting Covenant Duty, to assist organisations in complying with the Duty. Questions and concerns can be directed to the Armed Forces Covenant Team.<sup>10</sup>

The Armed Forces Covenant Duty is a legal obligation placed on relevant bodies, when exercising relevant functions, to have due regard to the three principles of the Armed Forces Covenant. It builds on – but is distinct from – the pre-existing voluntary Armed Forces Covenant.<sup>11</sup>

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<sup>10</sup> <https://www.armedforcescovenant.gov.uk/contact-us/>

<sup>11</sup> <https://www.armedforcescovenant.gov.uk/>

## Obligations and 3 Principles

The Armed Forces Covenant Duty is a legal obligation placed on relevant bodies, when exercising relevant functions, to have due regard to the three principles of the Armed Forces Covenant. It builds on – but is distinct from – the pre-existing voluntary Armed Forces Covenant.

The three principles of the Armed Forces Covenant are set out in the Armed Forces Act 2006. These are the matters to which relevant public bodies must have regard and are as follows:

1. The unique obligations of, and sacrifices made by, the Armed Forces.
2. The principle that it is desirable to remove disadvantages arising for Service people from membership, or former membership, of the Armed Forces; and,
3. The principle that special provision for Service people may be justified by the effects on such people of membership, or former membership, of the Armed Forces.

This means that, when a relevant body develops, implements and/or reviews a relevant policy, or makes decisions on its delivery of relevant services, it must consider the Covenant principles.

*“Some issues affecting the Armed Forces Community are not covered by the Covenant so cannot be within scope of the Duty. The Covenant’s purpose is to address the negative experiences of the Armed Forces Community, arising from Service life, in the provision of public and commercial services. Many matters affecting the Armed Forces Community do not fall within this category.”* (Armed Forces Covenant Statutory Duty Guidance, Section 1.50. , p. 23)

***Due Regard** is “about informed decision-making and means that specific bodies should think about and place an appropriate amount of weight on the principles of the Armed Forces Covenant when they consider all the factors relevant to how they carry out relevant functions. Therefore, specified bodies should ensure that mechanisms are in place that prompt decision-makers to assess how their decision might impact on service users from the Armed Forces Community in scope with the Duty.”* (1.14, p.14)

*“Keeping written records of how key policies and decisions have been made and documenting the factors that were taken into account in each decision, will help bodies demonstrate that they have had due regard to the principles of the Covenant, if challenged.” (1.15, p.14)*

- (1) **The Armed Forces Covenant Duty** applies to specific functions within the fields of **healthcare, education, and housing services**; each with identified sub-topics.

### **Healthcare**

- Provision of services
- Quality of services
- Funding
- Co-operation between health bodies and professionals
- Functions concerning additional needs that healthcare bodies have a role in delivering.

### **Housing**

- Allocation policy for social housing
- Homelessness
- Disabled facilities grants

In relation to housing, it is worth noting that relevant family members include,

- [Service] children (and young people) of Armed Forces families
- Partners, bereaved partners, and former partners

### **Education**

- Admissions
- Transport
- Attendance
- Additional needs support
- Educational attainment and curriculum
- Student wellbeing

Children of Armed Forces families may suffer disadvantages caused by having to move school in the middle of an academic year. These might include a disrupted education, having

to become familiar with a completely new learning environment, a longer journey to school, a disrupted social experience, and of being taken away from support structures such as friends and teachers and having to make new friendships. Siblings might have to be placed in separate schools some distance apart.

Children of Armed Forces families might have to spend weeks or months away from their serving parent(s). The separation, the worry for a deployed parent's safety, and possibly having to help care for younger siblings, can impact their emotional wellbeing and educational attainment.

These challenges can be felt even more profoundly by Armed Forces children with additional needs, who might also suffer additional educational disadvantages such as delays in their needs being formally identified or accessing appropriate treatment.

Armed Forces families might suffer the disadvantage of not being able to take holidays, or spend time together, during normal school holiday periods. If Service families are moved away from other support structures, such as grandparents, there might be a significant burden on the non-serving parent to manage issues such as transportation to school. The non-serving parent might consequently suffer disadvantages such as finding it harder to continue their own employment.

### **Examples of “Disadvantage”**

Disadvantage occurs where members of the Armed Forces Community experience difficulties in accessing goods and services in comparison with the local population where “local” defined as the geographical area for which the public body delivering the service in question is responsible.

### **Admissions**

*“Armed Forces families may be posted to a different part of the country outside the normal admissions round for school places, mid-year, at very short notice or before Service Family Accommodation (SFA) has been allocated meaning that families may not be able to be assessed against specific catchment areas. Accommodation (address of house) may not be confirmed until just before a move, meaning a house address is not available to support a timely enrolment at the local school. This can create anxiety and result in difficulties for families with several children in having them admitted to*

*the same school, for example, with resulting challenges in providing appropriate transport.” (Armed Forces Covenant legislation, Policy Document, page 3)*

*In Scotland, local authorities are responsible for the setting of school admissions policy. This includes the procedures for dealing with requests for places both from parents who live within the school catchment area and those from other areas. The local authority’s admissions policy provides details of any priority arrangements. Parents in Scotland have a right to express a preference when choosing which school, they wish their children to attend. Local authorities make every effort to meet that request wherever possible. However, the size of the school, the current roll, and number of children who already live in the catchment area, and other factors, affect the local authority’s ability to grant a placing request. (Armed Forces Covenant Duty – Statutory Guidance 3C, 3.12, p.41)*

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1116148/Armed\\_Forces\\_Covenant\\_Duty\\_Statutory\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1116148/Armed_Forces_Covenant_Duty_Statutory_Guidance.pdf)

*‘A number of disadvantages around child wellbeing (section 3E) and transport to school (section 3F) could be mitigated if children are able to be placed in a school close to where they live, and if Service children siblings can be placed in the same school, depending on other factors such as their ages, whether primary or secondary, and whether there are places available. Disadvantages around educational attainment (section 3D) can be mitigated if children can be placed in a school that uses similar curriculums to their previous school.’ (Armed Forces Covenant Duty - Statutory Guidance, 3.10. p. 40)*

## **Transport**

*‘If a Service child is required to move schools outside the normal admissions round, the local authority might not be able to place them in a school close to their new home, resulting in them experiencing a longer journey time to school, or a more difficult journey.’ (3.22. Armed Forces Covenant Duty – Statutory Guidance 3F, p.46)*

*‘This might be mitigated through the normal application of the free school transport policy – the Service child might meet the eligibility criteria for free school transport in England, Wales, Scotland, and N Ireland.’ (3.23.Armed Forces Covenant Duty – Statutory Guidance 3F, p.46)*

*‘When the Service child is not entitled to free school transport, the Service person might not be available to assist with transporting the child to school, due to the unique*

*obligations and sacrifices of separation and hours of work. Other support structures such as grandparents might also not be available, and this can place a significant burden on the Service partner. This can be worse if siblings are placed in separate schools some distance apart, due to lack of school places, as it means juggling different transport arrangements. The need to manage school transport arrangements might mean the Service partner finds it harder to continue their own employment, as it could affect the hours they can work. These challenges may be more difficult for Service families with children who have additional needs.’ (3.26. Armed Forces Covenant Duty – Statutory Guidance 3F, p.47)*

*In Scotland, children and young people who are 5-21 years old, are eligible for a card giving free bus travel (from 31 January 2022). Children under 5 years old already travel for free on buses and don’t need a card.*

Provided the child is living in Scotland and has **proof of person** (proving name and age), **proof of residence** and **proof of photograph**, all required to be verified as part of the application, they are eligible for the free bus travel. To apply for the cards, proof of residence in Scotland is needed, which means having one of [these documents](#).

A letter from the child’s school is one of the options and might be the most straight forward for an Armed Force’s family.

More information is available on the website regarding application, [Young Persons' Free Bus Travel Scheme \(transport.gov.scot\)](#).

## **Attendance**

Armed Forces families might not be able to take holidays, or spend time together, during normal school holiday periods. Availability for family holidays, including planning and decisions, can be directly impacted by duty and assignment orders for the serving personnel/family member. Duty will always come first.

Families are encouraged to discuss requests to be away from school during term-time for a holiday with headteacher of their child’s school.

## **Scotland: MANAGING UNAUTHORISED ABSENCE**

*Family holidays during term time, Absence from school, whatever the cause, disrupts learning. It is important that parents encourage their children and young people to attend school and that parents arrange family holidays during the holiday period. **Family holidays should not be recorded as authorised absence, other than in***

*exceptional circumstances, where a parent’s employment is of a nature where school-holiday leave cannot be accommodated. Such employment may include armed services, emergency services, professions where parents are required to work away from the family for prolonged periods of time. It is for education authorities and schools to determine their own context and assess when these circumstances apply and authorise absence accordingly. However, the majority of family holidays, if taken during term time, should be recorded as unauthorised. (Included, Engaged, and Involved - Part 1: A Positive Approach to the Promotion and Management of Attendance in Scottish Schools, Section 6, 6.3, page 28).*<sup>12</sup>

### **Additional needs support**

- Issue of Armed Forces children who have an identified Additional Support Need.
- Issue of availability of provisions, correct identification of needs, costs, transport, placement availability etc and the extra stress this will place on both parent and child.

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/12/supporting-childrens-learning-statutory-guidance-education-additional-support-learning-scotland/documents/00529411-pdf/00529411-pdf/govscot%3Adocument/00529411.pdf?forceDownload=true>

### **Scotland: Supporting Children’s Learning Statutory Guidance Education – Additional Support for Learning**

*Chapter Two of the code considers the meaning of the terms “additional support needs” and “additional support” and considers the factors giving rise to the need for additional support. (Chapter 2 Additional Support Needs, Section 1)*

*Family circumstances may give rise to additional support needs; for example, where a child’s or young person’s home life is disrupted by poverty, homelessness, domestic abuse, parental alcohol, or drug misuse or parental mental or physical health problems. Examples of where additional support needs may arise as a result of family circumstances include; where the pupil herself is a young mother or is helping to care*

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<sup>12</sup> <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2019/06/included-engaged-involved-part-1-positive-approach-promotion-management-attendance-scottish-schools/documents/included-engaged-involved-part-1-positive-approach-promotion-management-attendance-scottish-schools/included-engaged-involved-part-1-positive-approach-promotion-management-attendance-scottish-schools/govscot%3Adocument/included-engaged-involved-part-1-positive-approach-promotion-management-attendance-scottish-schools.pdf?forceDownload=true>

*for disabled parents or siblings, or where a child is from a family of Armed Services with a parent being deployed into conflict zones, or where the family is affected by imprisonment. The child or young person may be being looked after by the local authority or have recently left care or be in need of measures to secure their care and protection. In these circumstances support from social work services may be needed to ensure that the child or young person is able to benefit from education. (Chapter 2 Additional Support Needs, Section 20, Page 23)*

### **Educational attainment and curriculum**

*As Service families re-locate for Service reasons, Service children might have to move school a number of times. While the educational attainment of Service children as a group is largely on a par with that of non-Service children, their educational attainment may be affected if they are placed in a school that uses different curriculums or different exam boards, or if they experience multiple moves at important stages in their education. They might experience gaps in learning or repeat topics already covered in previous schools. The number of moves a Service child might have to make could lead to a greater cumulative effect on their education than would typically be experienced by a non-Service child. If the child's educational attainment is affected, this could in turn affect their progression to their next level of education. ([Statutory Guidance Armed Forces Covenant](#) Section 3D, 3.13., pages 41-42)*

*Due to the unique obligation and sacrifice of separation, Service children might have to spend weeks or months, or the working week, away from their serving parent. The impact on their emotional wellbeing might in turn cause their educational attainment to suffer. The separation from the serving parent might also mean that children have to help care for their younger siblings or non-serving parent when the serving parent is away, meaning they have less time to devote to their schoolwork, also causing their educational attainment to suffer. ([Statutory Guidance Armed Forces Covenant](#) Section 3.14)*

### **Mental Health and Wellbeing**

*A Service child's mental health and wellbeing can be affected if the requirement to re-locate results in the child losing access to support structures such as friends and*



*teachers . . . difficulties in finding schools that will take all the children, resulting in the separation of the child from their sibling(s), and additional stress. If Service children are required to spend weeks or months, or the working week, away from their serving parent, the separation, and their worry for the safety of a parent deployed abroad, . . . disrupted social experience, . . . longer journey to school, can also affect mental wellbeing.* ([Statutory Guidance – Armed Forces Covenant](#) Section 3E1., 3.17. page 42)

*In Scotland, the GIRFEC (Getting it right for every child) approach has been used since 2010. It is child-centred and based on an understanding of the child’s current situation, including wider influences on them when thinking about their wellbeing. This includes consideration of the impact of transitions, mobility and deployments which affect Service families and children. It requires joined-up working, so services supporting children work in a co-ordinated way to meet their specific needs and improve their wellbeing.* ([Statutory Guidance – Armed Forces Covenant](#) Section 3.19. page 42)

Please be aware and consider **children and young people of Reserves & Veterans who are part of the Armed Forces community under the Covenant Duty.**

## 5. Scotland: The Armed Forces Covenant

<https://www.armedforcescovenant.gov.uk/scottish-government-support-for-the-veterans-and-armed-forces-community-2021/>

Several structures and processes have been established nationally to address the various barriers and challenges encountered by Armed Forces families and to aid those working in support of these families and their children.

This advice document is designed for local authority Lead Officers by providing several reflective questions under key headings that could assist in identifying action currently taken by your authority or suggest actions that may be of interest for development. The following list will serve as an introduction.

Initial questions for reflection:

- ***What does our local authority have in place?***
- ***Are we aware of areas of concern/barriers and those of celebration?***
- ***How much do we know through experience & knowledge?***

- *Will reflecting on Current Practice raise awareness and encourage understanding?*
- *What else might be needed? From whom?*
- *What evidence is available to demonstrate successful, current practice?*

The following section provides an overview of: ***Structures, Processes, and Groups that exist and are integrated across the Scottish landscape.***

Are you aware of those who work, and meet, in support of Armed Forces families?

## 5.1 Scottish Government support

‘The Scottish Government is committed to making sure no member of the Armed Forces Veterans’ community, including spouses and partners, in Scotland faces any disadvantage when accessing services and support.

The Scottish Government has also appointed a [Scottish Veterans Commissioner](#) whose remit is to improve outcomes for all veterans. The commissioner is independent of the government, and they have their own dedicated funding.’ <https://www.mygov.scot/support-armed-forces>

## 5.2 Scottish Armed Forces Education Support Group (SAFESG)

*The core purpose of the Scottish Armed Forces Education Support Group (SAFESG), chaired by the Scottish Government, is to work in collaboration with key stakeholders to support the education needs of children and young people from Armed Forces families in Scotland.*

*This work will build on the achievements outlined in [Support for the Veterans and Armed Forces Community, November 2020](#) as well as the actions identified in the [Additional Support for Learning review, October 2020](#).*

*“The Scottish Government recognises that children from UK Armed Forces families may at certain points of their education require additional support to benefit from school education in Scotland due to the nature of their parents’ and carers’ employment within the Armed Forces.*

*The Education (Additional Support for Learning) (Scotland) Act 2004 places a duty on local authorities to identify, assess and provide for the additional support needs of all children for whose education they are responsible. Additional support needs are broadly defined, including those which might impact on children from Armed Forces families, such as transitions, interrupted learning and dealing with separation and loss.*

*These support needs can occur at any time during a child’s education and may be temporary or longer term. The nature of the support will vary based on the individual child’s needs and could include pastoral support as part of the universal support offered by teachers or other professionals. Our commitment is to ensure that any barriers to learning are minimised in order that all children and young people get the support they need to reach their full potential.”* <https://www.gov.scot/groups/scottish-armed-forces-education-support-group/>

### 5.3 Armed Forces Covenant Pledge – all 32 local authorities

‘The Armed Forces Covenant represents a promise by the nation that those who serve or have served, and their families, are treated fairly. **All 407 local authorities in mainland Great Britain** and 4 Northern Ireland councils have pledged to uphold the Armed Forces Covenant. Thousands of organisations have signed the covenant, including businesses and charities.’ <https://www.armedforcescovenant.gov.uk/get-involved/who-has-signed-the-covenant/>

- *When was the original document signed in your authority?*
- *Do you know of anything that is in place specifically to provide support, and engagement with Armed Forces families?*
- *Did you know that pledges can be added to the Covenant, that are particular to the local authority? Are there any pledges that could/should be added?*
- *Do you know of your local authority plans for renewing and updating pledges?*

### 5.4 Local council and health board Armed Forces and Veterans’ champions

Local councils and NHS health boards in Scotland have [Armed Forces and Veterans Champions](#). They are officials who help make sure the needs of the ex-service community are met in their area. <https://www.mygov.scot/support-armed-forces>

### [Veterans Scotland Information Guide](#)

*'This booklet includes details of the Veterans Champions, who have been established across Scotland to ensure that those who have served are not disadvantaged as a result of their service. It also brings together a wide range of help available to both the Veteran Community and those supporting them, the majority of which is available via the Internet. It lists some but not all of the organisations that provide support and advice to the Veteran Community in Scotland. Additional information is available from the Veterans-Assist website.'* <http://www.veteransscotland.co.uk>

## 5.5 Education and Learning

The following roles of responsibility, network groups, structures, policies, organisations, partnership groups and resources are in place nationally, and available to educators in support of armed forces families and their children & young people in our Scottish ELC settings and schools.

**(a) ADES National Education Officer (NEO), formerly the National Transitions Officer, is facilitated through funding provided by the Scottish Government, that has stated:**

*'The NEO plays a key role in supporting schools and school leaders, particularly through the Service Pupil Champions [Local Authority Lead Officers – AFFLO] and head teacher's networks. These networks enable the sharing of information and best practice among all local authorities, to improve the support offered to children and young people from armed forces and veterans' families.'*

*The purpose of the AFFLO network is to work in collaboration to support the education, learning and wellbeing needs of armed forces children and young people in our Scottish schools and settings. To exchange knowledge and to develop information and resources that enable education and learning professionals to ensure these learners benefit from sustained, high-quality education (particularly around mobility and deployment/separation). This is provided in accordance with the commitments set out in the Armed Forces Covenant.*

*The names and contact details of ADES Lead Officers (AFFLO) are **NOT** identified on Forces Children's Education website, nor in documents. These are not shared publicly.*

*The NEO development work and resources available on Forces Children's Education are created in collaboration with families (parents and children), educators, local authorities, Education Scotland, Partnership Groups, the MoD, and others, as appropriate.*

Headline tasks undertaken by the NEO align with the Andrew Selous Report: [Living in Our Shoes](#) recommendations, the [Angela Morgan ASL Review](#) recommendations, [ASL Action Plan](#) and those identified in the [MoD Family Strategy](#).

**(b) ADES Armed Forces Families Lead Officers (AFFLO) of education officers across local authorities**

- *Who is the Lead Officer (Education) in your local authority?*
- *What structure is provided within the authority to support the Lead Officer for Armed Forces Families?*
- *Are there links and communication pathways established between the local authority Armed Forces Champion, the Armed Forces Covenant Lead, and the Lead Officer?*
- *How does the ADES AFWG network support this role?*
- *Does the ADES Forces Children’s Education website link appear on the local authority webpage for The Armed Forces/Covenant?*

**(c) ADES Headteachers Forum**

- Do headteachers from your authority have representation in this network?
- What school/headteacher might be contacted for discussion around armed forces families and children?
- From within your authority?
- From another local authority? From within your RIC?
- Within the network, headteachers with experience have mentored others who are new to engagement with armed forces families. This support is available across authorities. Is this something that would be valued by your headteachers?

**(d) Professional Leadership Network – UK**

- *Are you aware of this group that spans jurisdictions, and of the discussion/development work that is supported? (Headteachers from Scotland and England – Tri-Service communities)*

- *Key conversations are around barriers and challenges for children and young people with additional support needs (ASL/SEND/ALN/EHCP) who are moving across jurisdictions with their armed forces family.*

**(e) ADES [Forces Children's Education](#) (FCE) website and social media**

- *How familiar are you with this website and social media?*
- *Does a link for FCE appear on your local authority site? Is there an Armed Forces page on your local authority site?*
- *Are there links to specific resources that are useful to your schools, pupils, and families?*
- *What would you like to see added to this site/resource?*
- *Are you aware that the [ADES website](#) includes a **Forces Children** page that is linked to [Forces Children's Education](#) site?*

**(f) Education Scotland – Regional Improvement Teams (engagement across the Regional Improvement Collaboratives - RICs)**

- **Lead Officer** – there is a Senior Officer who is a key contact within Education Scotland. Information and experience is shared with colleagues and across Regional Improvement Teams (RITs), used to enhance resources on the National Improvement Framework Hub, and works in collaboration with the ADES NEO. Member of the Scottish Government SAFESG.
- **Professional Learning Activity:** *Supporting Armed Forces Families* is available on **GLOW** for educators.

A similar version of [Supporting Armed Forces Families](https://forceschildrenseducation.org.uk/supporting-armed-forces-families) is available for a wider audience on ADES Forces Children’s Education site,  
<https://forceschildrenseducation.org.uk/supporting-armed-forces-families>

- **Resources**

**National Improvement Hub:** Armed Forces Families  
<https://education.gov.scot/improvement/practice-exemplars/armed-forces-families/>  
<https://education.gov.scot/improvement/learning-resources/forces-childrens-education>

**National Improvement Hub:** Forces Children’s Education  
 Rights Reviews and the Armed Forces Covenant\* (link pending)

**(g) Regional Improvement Collaboratives (RICs)**

- *Do you/your authority actively collaborate with colleagues to promote good and interesting practice / include support for children of Armed Forces families as a distinct group of learners (mobile, interrupted learning, deployment/separation, mental health & wellbeing...)?*
- *Do Armed Forces children/young people appear as an agenda item on your RIC Action Plan?*

**(h) Data: Armed Forces Family Indicator – SEEMiS**

- **Are you aware that leaflets and posters have been specifically designed for parents, families and young people: [Let Your School Know](#)** – can be downloaded to encourage families to identify their ‘armed forces’ connection? Available on [Forces Children’s Education](#)
- *Does your school / does your authority have a schedule for regular collection, monitoring, review, and use of this SEEMiS data (group & individual) within schools and Early Learning and Childcare setting (ELC) and across the local authority?*
- *Are children and young people of armed forces families considered within the potentially ‘vulnerable’ category in regular review of inclusion/equity, performance, and attainment?*

**(i) Dedicated Armed Forces Covenant page on local authority website**

- *Does your Council have an Armed Forces Covenant page?*
- *Is there any mention of ‘education’ and children of armed forces families?*
- *Does your site link to the ADES [Forces Children’s Education](#) website?*

**(j) Education representation in MOD Community Engagement Task Force (CETF) group: FIRM BASE**

The ‘Firm Base’ is an MOD construct, with representation from regions across Scotland. A senior (Tri-Service) officer is responsible for each of the CETF areas. They are tasked with reporting to the Firm Base, issues and developments that impact on the lives of serving personnel and their families. The Scottish Government put forward representatives to engage with the Firm Base process, which enables concerns etc, to flow strategically upwards. It is key that the SAFESG is the principal route for Education-specific flow of information, to ensure that interconnection between the education system and the MOD. A benefit of Firm Base is that it covers a wide array of stakeholder and issue bases. This means that opportunities for connections between what can seem very unconnected areas, are possible.

**(k) Local Authority Policies/Governance**

For example:

- **Transitions**
- **Interrupted learning**
- **ASL/ASN**
- **Equity and inclusion**
- **Mental health and wellbeing**
- **Housing.**



- *Is there active consideration of armed forces children, young people, and families in all policy areas of education, health, and housing?*
- *Is there a joining-up of information and support across these areas?*
- *Is there a corporate message that links the policy areas of education, health, and housing for Armed Forces families?*
- *Have Armed Forces families, children and young people and the issues that affect them been included as an agenda item at Committee meetings?*

### (l) Cadet groups

Awareness of programme and activity in settings such as:

Setting	Programme
Schools	<a href="#">Lowland Reserve Forces &amp; Cadets Association</a>
Colleges	
Universities	<a href="#">Highland Reserve Forces &amp; Cadets Association</a>

It is important to note that **Young People in the Cadet Forces are not military**, but considered part of the wider armed forces community. There is no requirement to report under the Covenant Duty.

- *What ongoing communication and collaboration exists between the authority and the Cadet organisation/your schools and the Cadets, in support of this group of young people (from armed forces and civilian families)?*
- *Are their 'good news' stories celebrated in your authority/schools?*

### (m) Review, Updating & CLPL – Armed Forces children within the GIRFEC framework

- *Is it possible to include consideration of Armed Forces families (children & young people) in the mandatory, yearly, GIRFEC training – during an INSET Day at the beginning of each school year?*
- *Should a focus on armed forces families and their children be included in SQIP?*

### (n) Armed Forces Family Ambassador (Champion)

- *Is there an identified lead armed forces family 'ambassador' in each school/setting or cluster/ASG/localities – volunteers with an interest?*
- *Could a key contact in a school/cluster/ASG ensure that information is circulated, provide feedback, and offer a valued 'point of contact'?*

**(o) Emerging evidence of established / embedded procedures and recognised practices to provide support for armed forces children, young people, and their families**

This will enable a baseline of engagement and support to be established, *for example,*

**1) Career-long, Professional Development**

- *Is this provided and promoted, with resources available specific to Armed Forces families, children and young people?*
- *Is this generated within your own local authority?*
- *Is it available throughout the RIC?*

**(p) The Centre for Military Research, Education and Public Engagement  
– Edinburgh Napier University (CMRE-PE)**

**CMRE-PE has provided the following statement:**

‘...the University has invested in promoting its relationship with the Armed Forces into the present and future. The Centre for Military Research, Education and Public Engagement (CMREPE) is the most recent development in this area and represents the universities commitment to maintain strong working relationship with the armed forces. This new initiative has developed rapidly [over the last 12 months] underpinned by much of the previous work across the university in both research and education areas. Perhaps our strongest area of development has been in the area of public engagement, developing a strong network of significant partnerships to enhance opportunities for military personnel active, transitioning and veterans in education and research activity.’ <https://www.napier.ac.uk/study-with-us/armed-forces/centre-for-military-research>

“We are currently working on a variety of projects including Military Transition in Scotland and working alongside the Association of Directors of Education in Scotland (ADES) National Education Officer for Children and Young People of Armed Forces Families in Scottish Schools, which supports the wider network and their families. This comes following years of engagement with local schools, like Colinton Primary, to highlight to children of military families that they can aspire to a university education. This new centre will be essential in allowing us to continue working on research that benefits the military community.” [Centre for Military Research, Education and Public Engagement launched \(napier.ac.uk\)](https://www.napier.ac.uk/news/centre-for-military-research-education-and-public-engagement-launched)

**(q) Other partnership groups:**

**Skills Development Scotland (SDS)**

**Partnership Agreement with Secondary Schools (Local Authorities)**

*The question around the armed forces champion (or nominated armed forces education officer) is in part 3 of the agreement headed: Action Owners & Agreement. It lists here other accountable roles and as part of the conversation around these roles a discussion would take place about the schools armed forces footprint. It's a simple question but depending on the nature of the school roll could be a more complex answer.*

*Where it is situated within the agreement is interesting as it suggests relevant actions and potential outcomes.*

- *Who is your nominated (local authority) armed forces education officer?*
- *Who is your armed forces champion in the school?*
- **Parentzone - Armed Forces Families**
- **Enquire – Armed Forces Families**
- **National Parent Forum Scotland – Armed Forces Families**
- **Third Sector Organisations**, for example, Children 1st, Parent Helpline, SSAFA, Poppy Scotland, Never Such Innocence, Forces Children Scotland, SAMH . . .

**(r) MOD linked Organisations offering Support:**

- 1) **Family Federations:**
- [Royal Navy & Marines Families Federation \(NFF\)](#)
  - [Army Families Federation \(AFF\)](#)
  - [RAF Families Federation \(RAF-FF\)](#)

2) **MOD Defence Children's Services**

Provides an advice service for parents.

The **Education Advisory Team (EAT)** can be contacted at, [RC-DCS-HQ-EAT@mod.gov.uk](#) This EAT service is primarily focused on the children of Serving Families; however, they may be able to provide some general information for educators/schools in relation to the armed forces covenant.

## 1. Some Practical Examples of Supporting Armed Forces Children

Contact was made with 19/32 local authorities and their lead officers for armed forces families to discuss practice examples of support for children and young people of these families. The headings used to invite comments and examples were, (1) Practice, (2) Evidence Gathering (data), (3) Policy, (4) Continuous Professional Development, and (5) Current Planning. The local authorities all demonstrate different stages and levels of experience in working with armed forces families and their children. The local authorities contacted were those that had the following:

- Few identified children of armed forces families in their schools and settings
- No Regular Service camp, station or base
- Few Service Family Accommodation (SFA) locations (military housing)
- Had not received any MOD Education Support Funding (ESF)
- All the above.

The intention was to gather examples that were realistic and relatable for most local authorities nationally. Local authorities shared the knowledge that they had begun to address the issues of local armed forces families yet there was much more that could and should be done.

The following local authorities provided examples of current practice,

**(1) Practice:**

**South Lanarkshire Council:** *One secondary school in South Lanarkshire added a section to their Primary to Secondary transition form that is used to gather evidence and assist the transition of pupils. The form is issued to the P7 teacher in each primary school and is submitted to the secondary around March each year to assist forward planning in the transition of the pupils. The section that has been added asks if the pupil is from a Regular, Reserve or Veterans' family. This allows the pupil support teachers to identify these pupils prior to their arrival at the secondary school and to provide the direct support specific to armed forces children when required.*

*The introduction of this section on the transition document was further supported by providing the pupil support teachers with some learning about the specific needs of Armed Forces children and how they can best be supported. The feedback from pupil support teachers was very positive as they felt that they could more accurately identify and understand specific needs relating to the pupils and how best to support them.*

**North Lanarkshire Council:** *The authority bulletin which is sent to all schools within the authority is used to raise the profile of Armed Forces children. This includes the data they have gathered on the numbers of Armed Forces children present within North Lanarkshire schools and settings.*

*Cluster meetings are used by the link officer for armed forces children to remind Head Teachers of the importance of tracking children and looking at their needs to improve outcomes and positive destinations. The input focusses on meeting learners needs and tracking the data of children from armed forces families, through regular dialogue with the Headteachers. The officer also links with the Education and Families Managers to interrogate data and keep the children and young people on the radar.*

**Fife Council:** *Have established a working group regarding Armed Forces children and are also exploring the data that they have available.*

**Dundee Council:** *Have shared materials from the national network with schools and are collaborating with other council partners in relation to any other next steps they should take regarding the covenant.*

**(2) Evidence Gathering:**

*Several authorities are looking at the data regarding Armed Forces children.*

**(3) Policy:**

*None of the (19/32) local authorities contacted provided any information about currently having Armed Forces children, young people and families identified within any policies.*

**(4) Continuous Professional Development for staff:**

*Other than the CPD provided within one school in South Lanarkshire and the proposed pilot within North Lanarkshire there was no other evidence of CPD for staff in relation to supporting Armed Forces children and families.*

**(5) Current Planning:**

**North Lanarkshire Council:** *Are looking at having a pilot project with several their schools to raise awareness and provide direct support to staff.*

**Stirling Council:** *Aim to include armed forces children and families within their guidance and policies.*

## 2. Implications for Practice

The following actions have been identified for the ADES AFFLO network to take forward:

(1) Promotion of the development of a local authority **Corporate Message**, around the Armed Forces Covenant, linking engagement and collaboration across education, health, and housing sectors.

(2) Ensuring the ADES AFFLO is known to the appointed, local authority [Armed Forces and Veterans Champion](#) and other sector leads for armed forces families in order to enhance joined-up communication in support of the Armed Forces Covenant.

(3) Develop resources to support presentations to **local authority corporate management teams and/or service committees** to explain the new duties, (NB materials and resources are available on Forces Children’s Education website and NEO is available to support or engage in presentations.)

(4) **All** headteachers, should know the Lead Officer for armed forces families, children, and young people (AFFLO) and the main contents of the ADES advice document.

(5) **Appropriate** local authority staff should be aware of the barriers and concerns inherent in a move for an armed forces family (Regular, Reserve and Veteran), to enable an informed ‘warm Welcome’.

Central staff should have knowledge of the Lead Officer for armed forces families’ role within the local authority, so that queries can be appropriately resolved.

(6) **All** headteachers must have their young people of armed forces families identified, so far as possible.

Some parents may wish to withhold their “Armed Forces” status due to security concerns or other sensitivities they have about disclosing the nature of their work, or its location.

All headteachers should plan and action best ways of ensuring that these young people are supported in admissions, educational attainment and curriculum, child wellbeing, transport, attendance, and Additional Support Needs (ASN).

### **Further Support**

- Education Scotland resource: *Supporting Armed Forces Families* – is available on GLOW.

- For a wider audience this resource is also available on ADES Forces Children’s Education website, <https://forceschildrenseducation.org.uk/supporting-armed-forces-families>

**ADES** [Forces Children’s Education](https://forceschildrenseducation.org.uk) website – ensure that this link is available on the local authority website and Armed Forces Covenant site.

Confirm that your local authority link and information provided on FCE site is accurate and current.

## Conclusion

The current evidence of work, development, and engagement with armed forces families and their children in Scottish schools and settings indicates a national starting point, a benchmark. This is not enough in relation to need, the body of evidence, and in response to the Armed Forces Covenant; there is more that needs to be done. Greater understanding and appreciations of the life experience of armed forces families and the learning journey of their children and young people is required. Interesting examples of support and engagement must be monitored and evaluated, where appropriate they should be embedded into everyday way of things in Scottish education. Good practice that supports the transitions, mobility, interrupted learning, being included, additional support needs and the learning experiences of armed forces children, will be good for all children.



## APPENDIX 1: GLOSSARY

**Children and young people of armed forces families**, this is the term used in Scotland and is inclusive of Regular, Reserve and Veteran families.

The SEEMiS data management system indicator uses this term: **Armed Forces families**.

The term 'Service child' (Service family) refers to children of military personnel who are currently serving: Regular and Reserve.

UK MoD documentation uses the term 'Service child'. At times it may be useful to include '(Service child)' in a document after the term 'armed forces child', especially if it is to be reviewed in England (for example, a funding application).

**The Armed Forces Community** includes serving members and veterans and families.

**The Armed Forces Covenant** applies throughout the UK. It is delivered across all sectors of society, including core areas of healthcare, education, and housing, which are devolved. Implementation of the covenant is shaped by local and regional factors and jurisdictions, to optimise local support.

**The Armed Forces Covenant Duty** will apply to relevant public bodies exercising specified public functions in education, healthcare, and housing sectors.

*The Armed Forces Covenant Duty does not include Early Years/ELC settings.*

**In Scotland, ADES supports and considers the inclusion of armed forces children in early learning and childcare settings, and their families, as important partners in the experience of a positive and sustained, learning journey.** Therefore, armed forces families are recognised as those with a child in early learning and childcare settings, primary and secondary sectors of education.

Additional terms and definitions can be found on [Forces Children's Education website](https://forceschildrenseducation.org.uk/wp-content/uploads/2019/09/ADES-2018-Leading-Education-for-AFCs.pdf) in the ADES document, *Leading Education for Armed Forces Children*, pages 18 – 22 (2018).<sup>13</sup>

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<sup>13</sup> <https://forceschildrenseducation.org.uk/wp-content/uploads/2019/09/ADES-2018-Leading-Education-for-AFCs.pdf>

**Carolyn MacLeod**

National Education Officer

*for Children and Young People of Armed Forces Families in Scottish Schools*

**Association of Directors of Education in Scotland (ADES)**

[nationaltransitionsofficerades@gmail.com](mailto:nationaltransitionsofficerades@gmail.com) | Mobile: 07931 565961 | [www.forceschildrenseducations.org.uk](http://www.forceschildrenseducations.org.uk)