

Document 1

The Educational
Institute of Scotland

Ms Gayle Gorman
Chief Inspector of Education and
Education Scotland Chief Executive
Education Scotland
Denholm House
Almondvale Business Park
Livingston
EH54 6GA

Ref: LF/SL/Gorman 1406
14 June 2018

Dear Gayle

I write further on the issue of the production of Palestine / Israel teaching materials, following on from our previous brief discussion.

Given the background to why this material was commissioned in the first instance, the use of insensitive materials dating from the 1980s and adverse media interest in same, the EIS is keen to progress production and provision of the materials to schools and colleges and, to be frank, we are frustrated by what appears to be procrastination on the part of Education Scotland in achieving this ambition.

Regarding ownership of the materials already produced and positively evaluated, the EIS has taken legal advice itself and agrees with the advice given to Education Scotland in part, that is that, in the absence of an alternative agreement, the resources are owned by those members of the group who created them (unless any member in the group was involved in creating the resources in connection with their employment, in which case their "share" of ownership of the resources would belong to the their employer).

On this basis, we would assert that the joint owners of the resources are the 8 collaborators, including the EIS as we had direct involvement in the initial collaboration.

Whilst the local authorities may have assigned their "share" to Education Scotland, the EIS has not and we will insist on remaining an active contributor in any further iteration of the materials. We note the suggestion of a further working group which, it was mooted by Education Scotland, would not maintain involvement by the EIS; we would find this unacceptable.



46 Moray Place · Edinburgh · EH3 6BH
tel: +44 (0)131 225 6244 · e-mail: enquiries@eis.org.uk · www.eis.org.uk
General Secretary · Larry Flanagan



The EIS would note, however, that the existing materials have been evaluated positively, have an appropriate balance to them in terms of the political issues involved, and are good to go! With regard to the issue of promoting higher order thinking, the Institute would have no objection to further development in this manner, but this was not the original primary intent and shouldn't be used to create a roadblock of any kind. The suggestion at the last meeting from Joe Walker that the historical content might be scaled back in favour of the inclusion of more higher order tasks and the development of skills that could be transferred to any context, seems to miss the obvious fact that the historical content is actually key to young people's understanding of why there is a Palestinian/Israeli conflict.

Neither of us is unaware of the politically sensitive nature of this topic; indeed I think ES brought to the attention of the EIS and the others on the Group, the intervention of the Israeli Embassy, but whilst we appreciate the need to navigate challenging waterways, there is a strong imperative to provide these long-promised teaching materials to schools. Despite various lobbying activities, the EIS would argue for the necessity of the honesty and integrity of an educational resource being preserved. There should be no potential for one-sided lobbying to skew the balance of the resource.

A circle of people beyond those immediately involved in our dialogue are aware, through a vast range of channels, of the "controversy" surrounding this matter and it would appear to be only a matter of time before some sensationalist journalist seeks to exploit the issue in a manner which would only deepen the political challenges. The simplest way to avoid this is to expedite proceedings.

The EIS has offered previously to publish the resource if this presented a direct way forward – I would repeat the offer.

The EIS has held back from raising this directly with the DFM, although he is clearly aware of the issue and has had some involvement as he has been lobbied directly on it by others. We would hope to avoid it becoming "political" from our side, by reaching satisfactory progress through your own good office.

I am, of course, happy to discuss the matter further at your convenience.

Your sincerely,

Larry Flanagan
General Secretary

A handwritten signature in black ink, appearing to read 'Larry Flanagan', written in a cursive style.

Document 2

GG/JBR

Larry Flanagan

(via Email)

02 November 2018

Dear Larry

Learning and Teaching Resources on Israel/Palestine

Thank you for your letter dated 14 June 2018.

I am conscious that work to produce a set of learning and teaching resources on Israel/Palestine has been ongoing for some considerable time. We have worked hard with a range of groups and individuals to try to make available to teachers a set of resources which are appropriately balanced, and which have the best possible levels of consensus and support from all stakeholders.

Given the challenges involved, I have taken some time to consider the EIS's offer to publish the resources and to agree the best way forward.

In May 2017, the Deputy First Minister (DFM) asked Education Scotland to carry out a review of the resources involving all stakeholders and to try to achieve consensus before they were piloted in schools. A series of meetings with stakeholder groups then took place in autumn 2017. It proved impossible to achieve a consensus.

DFM then asked Education Scotland to continue to try to find a solution, and this involved trying to get agreement to Education Scotland leading work on revision of the resources. The eight local authorities previously involved in the Glasgow and Clyde Rights-Based Learning Group agreed to this. However, I note from your letter of 14 June that the EIS, as joint owner of the resources, does not agree to the sort of revision which Education Scotland was envisaging.

Taking all of the above into account, and following discussions with key parties, including local authorities and the DFM, I consider that the best way forward is for you as joint owner of the resources to publish them, as you offered to do in your letter of 14 June. This will mean that the resources will be removed from GLOW, but may be made available by the EIS via its own website.

I shall be writing to all key stakeholders to advise them of this decision and to thank them for their contributions.

Kind regards

A handwritten signature in blue ink that reads "Gayle Gorman -". The signature is written in a cursive style.

Gayle Gorman

HM Chief Inspector of Education/Chief Executive

Document 3

GG/ES

Key Stakeholders

(via email)

02 November 2018

Dear Colleague

Israel/Palestine Learning and Teaching Resources:

Update to Key Stakeholders

The development of educational resources on Israel/Palestine began in 2015 when a working group was established to create appropriate education materials dealing with the issue. The group was supported by Education Scotland. The aim was to ensure that schools were better-placed to address issues linked to Israel/Palestine.

An initial set of resources was made available through Glow in early 2017. The purpose was to allow teachers to post comments as part of a piloting exercise. In response to concerns about some of the materials included in the resources, Education Scotland then made the resources password-protected on Glow. In May 2017, and following concerns expressed by stakeholders, the Deputy First Minister (DFM) asked Education Scotland to remove a specific animation from the resources.

The resources continued to be available on a password-protected basis in order that they could be finalised to the satisfaction of all key stakeholder interests. A period of consultation and further development was then facilitated by Education Scotland. This included the opportunity in autumn 2017 for all interested stakeholders to contribute comments via meetings and in writing. The aim throughout this process was to ensure a set of resources which could be agreed by all key stakeholders.

In February 2018, with no consensus amongst key stakeholders about the suitability of the resources, Education Scotland explored the possibility of taking ownership of the resources so we could revise and develop them further, and make them available on Glow. While all eight local authorities involved in the initial development of the resources were content for ownership to be assumed by Education Scotland, the Educational Institute of Scotland (EIS) indicated that they would not be content to agree to this. The EIS wrote to Education Scotland in June 2018 to make this clear. They offered for the EIS, as one of the initial developers and joint owners of the resources, to publish the material on its website.

Following discussions with key parties, including local authorities and the DFM, I consider that the best way forward is for the EIS as joint owner of the resources to publish them, as they offered in their letter of June 2018. This will mean that the resources will be removed from GLOW, but may be made available by the EIS via its own website.

As with any educational resource, it will be a matter for individual local authorities and schools to determine if they would like to make use of the resources.

Thank you for your contribution to and interest in this work.

Yours sincerely



Gayle Gorman

HM Chief Inspector of Education/Chief Executive