



What education and legal framework, including national policies and schemes, can be used to validate the introduction of peer mediation practices in schools in Scotland, and to ensure the sustainability of these peer mediation programs?

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Note - There are also many **local policies** in place to ensure the wellbeing of children, and to promote anti-bullying practices, in different geographical areas/local authority areas in Scotland – be aware of these.

The Curriculum for Excellence

The curriculum for Excellence aims to achieve a transformation in education in Scotland by providing a coherent, **more flexible and enriched curriculum** from 3 to 18. The 3-18 curriculum aims to ensure that all children and young people in Scotland **develop the attributes, knowledge and skills they will need to flourish in life, learning and work.**

This Government's ambition is for Scotland to become **the best place in the world for a child to grow up.** Recognising, respecting and promoting rights is essential if we are to make that vision a reality. This means **making practical changes in order to ensure that children experience their rights on a day to day basis,** whether that be their right to be heard, to be brought up by their parents, to be protected from exploitation or to be supported in exercising their cultural beliefs.

Making rights 'real' for children requires creative thinking. We know that no one change will deliver the changes we want to see **and it is important for us to use the range of tools available to us.** After all, children are affected in some way or another by almost every aspect of the Scottish Government's work.

Our approach is based on the United Nations Convention on the Rights of the Child (UNCRC).

The totality of experiences

The curriculum includes all of the experiences which are planned for children and young people through their education, wherever they are being educated. These experiences are grouped into four categories.

- **Curriculum areas and subjects**
The curriculum areas are the organisers for setting out the experiences and outcomes. Each area contributes to the four capacities.
- **Interdisciplinary learning**
How the curriculum should include space for learning beyond subject boundaries.
- **Ethos and life of the school**
The starting point for learning is a positive ethos and climate of respect and trust based upon shared values across the school community.
- **Opportunities for personal achievement**
Pupils need opportunities for achievements both in the classroom and beyond, giving them a sense of satisfaction and building motivation, resilience and confidence.
- Added to this, because children learn through all of their experiences - in the family and community, pre-school centre, nursery and school - the curriculum aims to recognise and complement the contributions that these experiences can make. Find out more about the [structure of the curriculum](#).

Developing skills and attributes

The curriculum aims to develop four capacities, helping children to become:

- Successful learners
- Confident individuals
- Responsible citizens
- Effective contributors

Health and Wellbeing Outcomes in the Curriculum for Excellence (1 of 8 Curriculum Areas)

The Scottish Government will continue to work with, and support, youth work and youth information organisations to provide relevant and accurate information that encourages young people to make healthy and positive life choices.

What are the main purposes of learning in health and wellbeing? Learning in health and wellbeing ensures that children and young people develop the knowledge and understanding, skills, capabilities and attributes which they need for mental, emotional, social and physical wellbeing now and in the future. Learning through health and wellbeing enables children and young people to:

- make informed decisions in order to improve their mental, emotional, social and physical wellbeing
- experience challenge and enjoyment
- experience positive aspects of healthy living and activity for themselves
- apply their mental, emotional, social and physical skills to pursue a healthy lifestyle
- make a successful move to the next stage of education or work
- establish a pattern of health and wellbeing which will be sustained into adult life, and which will help to promote the health and wellbeing of the next generation of Scottish children.

Children can expect their learning environment to support them to:

- meet challenges, manage change and build relationships
- experience personal achievement and build resilience and confidence
- understand and develop physical, mental and spiritual wellbeing and social skills
- understand how what they eat, how active they are and how decisions they make about their behaviour and relationships affect their physical and mental wellbeing
- participate in a wide range of activities which promote a healthy lifestyle
- understand that adults in their school community have a responsibility to look after them, listen to their concerns and involve others where necessary
- learn about where to find help and resources to inform choices
- assess and manage risk and understand the impact of risk-taking behaviour
- reflect on their strengths and skills to help them make informed choices when planning their next steps
- acknowledge diversity and understand that it is everyone's responsibility to challenge discrimination.

- How well are they applying personal and interpersonal skills as part of their daily lives, and developing them as they grow and mature?

Health and Wellbeing Framework in Relation to the Curriculum for Excellence

The statements of experiences and outcomes in health and wellbeing reflect a holistic approach to promoting the health and wellbeing of all children and young people. In order to develop the four capacities that the Curriculum for Excellence aims to develop, children should feel they are:

- Nurtured
- Active
- Achieving
- Respected
- Responsible
- Healthy
- Included
- Safe

Learning through health and wellbeing promotes confidence, independent thinking and positive attitudes and dispositions.

Furthermore the Curriculum for Excellence promotes positive learning environments:

All learning environments should have a positive influence on children and young people. This can be achieved by promoting inclusion and equality and through approaches to developing positive relationships and behaviour.

Personal Development is also a **National Qualification Subject Area** within the Curriculum for Excellence

UN Convention on the Rights of the Child

Articles of the UNCRC that are relevant to the effects and benefits of peer mediation programs:

Article 28 - States Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

Article 29 - States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

Summaries the full articles (28;29)

Article 29 (Goals of education): Children's education should develop each child's personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. Children have a particular responsibility to respect the rights their parents, and education should aim to develop respect for the values and culture of their parents. The Convention does not address such issues as school uniforms, dress codes, the singing of the national anthem or prayer in schools. It is up to governments and school officials in each country to determine whether, in the context of their society and existing laws, such matters infringe upon other rights protected by the Convention.

Article 28: (Right to education): All children have the right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children's dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.

The Rights Respecting Schools Award (RRSA), UNICEF

The Rights Respecting Schools Award (RRSA) recognises achievement in putting the United Nations Convention on the Rights of the Child (CRC) at the heart of a school's planning, policies, practice and ethos. A rights-respecting school not only teaches about children's rights but also models rights and respect in all its relationships: between pupils and adults, between adults and between pupils.

The initiative started in 2004 and is running in over 600 schools in the UK (primary and secondary). It has demonstrated an improvement in child well-being. Many schools have reported a decrease in bullying, an improvement in achievement and participation, a positive effect on attitudes and global awareness and a more inclusive, caring school atmosphere. [\[4\]\[5\]](#)

- **Who is the Rights Respecting Schools Award (RRSA) for?**

The RRSA is a UK-wide initiative for all children and all those working with or for children in formal education. It is being successfully implemented in all settings – Primary, Secondary, Special Needs and Pupil Referral Units – across England, Wales, Scotland and Northern Ireland.

- **How does the RRSA link with other school initiatives?**

The initiative unifies a range of educational priorities in all UK jurisdictions; the global dimension, SEAL (social and emotional aspects of learning), community cohesion and sustainable development.

- **What impact does the RRSA have?**

A three year [qualitative study](#) by researchers at the Universities of Sussex and Brighton found that "The RRSA has had a profound effect on the majority of the schools involved in the programme."

Getting it Right for Every Child (GIRFEC)

Getting it Right for Every Child (GIRFEC) is a consistent way for people to work with all children and young people. It's the bedrock for all children's services and can also be used by practitioners in adult services who work with parents or carers. The approach helps practitioners focus on what makes a positive difference for children and young people – and how they can act to deliver these improvements. Getting it right for every child is being threaded through all existing policy, practice, strategy and legislation affecting children, young people and their families.

GIRFEC is founded on **ten core components** which can be applied in any setting and in any circumstance. These are relevant ones for the **peer mediation agenda**:

1. An integral role for children, young people and families in assessment, planning and intervention
2. Streamlined planning, assessment and decision-making processes that lead to the right help at the right time
3. Consistent high standards of co-operation, joint working and communication where more than one agency needs to be involved, locally and across Scotland
4. A confident and competent workforce across all services for children, young people and their families

GIRFEC **values and principles** reflect legislation, standards, procedures and professional expertise.

Peer mediation benefits and effects are related to all of them:

- **Promoting the wellbeing of individual children and young people**
This is based on understanding how children and young people develop in their families and communities, and addressing their needs at the earliest possible time.
- **Keeping children and young people safe**
Emotional and physical safety is fundamental and is wider than child protection
- **Putting the child at the centre**
Children and young people should have their views listened to and they should be involved in decisions that affect them
- **Taking a whole child approach**
Recognising that what is going on in one part of a child or young person's life can affect many other areas of his or her life
- **Building on strengths and promoting resilience**
Using a child or young person's existing networks and support where possible
- **Promoting opportunities and valuing diversity**
Children and young people should feel valued in all circumstances and practitioners should create opportunities to celebrate diversity
- **Providing additional help that is appropriate, proportionate and timely**
Providing help as early as possible and considering short and long-term needs
- **Supporting informed choice**
Supporting children, young people and families in understanding what help is possible and what their choices may be
- **Working in partnership with families**
Supporting, wherever possible, those who know the child or young person well, know what they need, what works well for them and what might be less helpful
- **Respecting confidentiality and sharing information**
Sharing information that is relevant and proportionate while safeguarding children and young people's right to confidentiality

- **Promoting the same values across all working relationships**
Recognising respect, patience, honesty, reliability, resilience and integrity are qualities valued by children, young people, their families and colleagues
- **Making the most of bringing together each worker's expertise**
Respecting the contribution of others and co-operating with them, recognising that sharing responsibility does not mean acting beyond a worker's competence or responsibilities
- **Co-ordinating help**
Recognising that children, young people and their families need practitioners to work together, when appropriate, to provide the best possible help
- **Building a competent workforce to promote children and young people's wellbeing**
Committed to continuing individual learning and development and improvement of inter-professional practice.

A National Approach to Anti-bullying for Scotland's Children and Young People

A national approach to anti-bullying developed by the Scottish Government and the Scottish Anti-Bullying Steering Group to communicate and promote a common vision and aims; and to make sure that work across all agencies and communities is consistently and coherently contributing to a holistic approach to anti-bullying in Scotland.

To achieve this ambitious vision, all those working or involved with children and young people will aim to:

- develop positive relationships amongst children, young people, and adults which are mutually respectful, responsible and trusting; and promote their emotional health and wellbeing
- build capacity, resilience and skills in children and young people, and parents and carers, to prevent and deal with bullying
- prevent bullying of children and young people through a range of policies, strategies and approaches
- support children, young people and their parents and carers who are affected by bullying

Wider sectors and agencies covering children and young people's services and groups, will aim to:

- provide leadership and ensure accountability
- support organisations working with children and young people to develop a positive and inclusive ethos and culture; and effective policies and practices which proactively prevent and deal with all types of bullying behaviour
- ensure provision of information, training, advice and support to those working with children and young people in Scotland as well as their parents or carers
- ensure a co-ordinated and cohesive approach to anti-bullying in Scotland

Additional Support for Learning Act, 2004 and 2009

The Additional Support for Learning Act provides the legal framework underpinning the system for supporting children and young people in their school education, and their families. This framework is based on the idea of additional support needs. This term applies to children or young people who, for whatever reason, require additional support, long or short term, in order to help them make the most of their school education. Children or young people may require additional support for a variety of reasons and may include those who:

- are being bullied
- are particularly able or talented
- have experienced a bereavement
- are looked after by a local authority ³
- have a learning difficulty
- are living with parents who are abusing substances
- are living with parents who have mental health problems
- have English as a second language
- are not attending school regularly
- have emotional or social difficulties
- are on the child protection register
- are young carers.

Education authorities must:

- make adequate and efficient provision for the additional support required for each child or young person with additional support needs for whose school education they are responsible, subject to certain exceptions
- make arrangements to identify additional support needs
- keep under consideration the additional support needs identified and the adequacy of support provided to meet the needs of each child or young person
- provide independent and free mediation services for those parents and young people who want to use such services and publish information on these services
- have in place arrangements for resolving disputes

"Do the Right Thing", Government Action Plan

In September 2009, in response to the UN Committee's Concluding Observations, the Scottish Government published a children's rights action plan, "Do the Right Thing". **This action plan sets out how Scottish Government will take forward work to address the Concluding Observations and focuses on 21 key areas of work**, from promoting positive forms of parenting and providing better support for young carers to improving outcomes for looked after children, tackling child poverty **and improving children's involvement in their schooling.**

Action Area 7:

- Participation of children and young people in schools
- Continue to promote pupil leadership and engagement through a variety of means, including disseminating lessons from pupil leadership aspects of Schools of Ambition programme, Eco-Schools programme etc.

Action Area 16:

- Support delivery of the Curriculum for Excellence health and wellbeing experiences and outcomes

How do peer mediation outcomes actually tie in with these policies and schemes?

Peer mediation has many wide-spread benefits and the full extent of these benefits have not yet been determined in academic research. The following are peer mediation outcomes and benefits based on current, existing academic research within the field (as well as supported by extensive anecdotal evidence).

Outcomes for school/organisation communities including relationships within these settings

- A well-conducted peer mediation programme teaches children and young people alternative strategies to aggression and withdrawal that promote **constructive ways of dealing with conflict** as well as **open and positive communication within the school**. As a consequence a **safe, inclusive and nurturing school environment is created**. This includes physical, psychological and emotional safety of children and young people.
- **Student-to-student conflict** is highly reduced, similarly **suspensions and discipline referrals** are much reduced, and **relationships between peers** are significantly improved, as well as **relationships between pupils and teachers** – again contributing to a **healthy and inclusive school climate**.
- Peer mediation programmes are **highly effective in reducing bullying** (in all shapes), and participation in peer mediation programmes are have a positive impact on **both** the children who are being bullied, and the children who are bullying others.
- Peer mediation training **provides teachers/adults with tools to assist children and young people** in growing into **healthy, successful, responsible and contributing individuals**, and to prevent and deal with bullying.
- Results from peer mediation programs show that when conflict arises and is dealt with by a peer mediator, **there is around a 90% agreement rate and satisfaction** of outcome by pupils. Similarly, **teachers and parents are also highly satisfied** with the outcomes of mediation sessions.
- **Enhances learning** not only through more time for learning due to fewer conflicts, referrals and disciplinary measures (which take up both pupil and teacher time and resources) but also through teaching pupils **perspective-taking skills which develops their cognitive abilities and leads to greater academic achievement**.

Outcomes for individual pupils at the school/in the organisation

- Improvements in **controlling anger and developing appropriate assertiveness skills**
- Improved **problem solving skills, communication skills, and interpersonal skill (= vital social and life skills).**
- An **increase in empathy, trust, tolerance, respect, and fairness in pupils, much due to increased perspective-taking abilities.**
- Improvements in **language skills** and the type of language that promotes **positive, non-violent conflict resolution.**
- For peer mediators themselves, learning the mediation process and being part of the peer mediation programme significantly **increases self-esteem and confidence** (Thompson 1996; Bodine & Crawford 1998; Cardells & Van Slyck, 1999; Johnson & Johnson, 1996; 2005).
- Improvements in **leadership abilities** for peer mediators.
- Peer mediators experience **empowerment, inclusion** and the **ability to actively make a profound difference in the lives of others** - an ability which they greatly value and use.
- Pupils are given the **responsibility/opportunity to actively take part in forming their school communities and shaping their relevant situations/experiences positively**, in other words peer mediation allows children and young people to be included in the decisions that affect their lives.
- **The contribution of peer mediators is valued** by adults and other peers alike – this has a **positive, upward spiral effect for the peer mediators and spreads to other areas in their lives.**
- Being a peer mediator has the most strikingly beneficial effects for **vulnerable children** who may be displaying extreme behavioural or emotional problems.
- Many of the benefits and effects above are corner stones in **building a competent workforce, and indeed a healthy society.**

Outcomes for the wider communities of children and young people

- Significant improvements in the **communication strategies** pupils use to **resolve conflicts in their homes and in their wider communities.**
- **Improved perspective-taking abilities as well as developed communication and conflict resolution skills in family arguments** (between parents and children/young people) and arguments in the wider community.

How peer mediation ties in with the Curriculum for Excellence specifically

Peer mediation training and programmes equip schools with the necessary tools to meet pupils' psychosocial needs and thereby enhances multi-faceted learning and as such aligns with the goals of The Curriculum for Excellence (= to ensure all children and young people develop attributes, knowledge, and skills to flourish in life, learning and work, Scottish Executive 2004). The Curriculum for Excellence aims to enable each child to become a successful learner, confident individual, responsible citizen, and effective contributors – this means finding innovating ways of using resources to broaden the scope for teaching, and the role of the school in providing children with essential life and social skills. Peer mediation essentially uses a valuable, existing extra-curricular distraction (interpersonal conflict) as a teaching tool, and enables pupils to learn from an already present and vital part of their school lives. This meets both the needs of schools as educational institutions, the needs of children and young people to flourish, and also the needs of educators within schools, in a manner which is cost and time efficient. Peer mediation training allows for schools to tap into their students learning potential while creating balanced, safe and positive learning environments.

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