

ADDITIONAL SUPPORT NEEDS REVIEW UPDATE

1.0 EXECUTIVE SUMMARY

- 1.1 The main purpose of this report is to confirm the Council decision in relation to the operational review of Additional Support Needs (ASN) provision by Education Services. Future reports will be presented to the Community Services Committee as the review group progress their remaining terms of reference.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the Community Services Committee:
- a) Note the ongoing operational review of ASN provision by the Education Service, Community Services
 - b) Note the decision by the Council at its meeting of 26 November 2015 in relation to operational efficiency savings and the service choices programme
 - c) Agree that further updates on the progress of the ASN review will be reported to the Community Services Committee.

ADDITIONAL SUPPORT NEEDS REVIEW UPDATE

3.0 INTRODUCTION

- 3.1 An initial review of provision of additional support needs was held on 5th and 6th February 2015 with a recall day was on 26th March. The review days considered both the areas of policy/practice and budget with the aim of rationalising the ASN policy and practice framework which meets the demands of current legislative and national policy requirements and ensures the continued provision of the most effective and efficient service within the Council's budget requirements.
- 3.2 An Operational Review Group was established to take forward this work and comprised a representative sample of teaching staff from all sectors and areas across the authority area, Education Service central team and the Educational Psychology Service. In addition there is representation from teaching and non-teaching trades unions and from Social Work. Representatives from Strategic Finance and Human Resources provide appropriate information and advice as and when required
- 3.3 The Review Group focus has been to specifically examine the current model of provision and options in the following five areas;
- cover costs for central funded support teachers and ASN assistants;
 - allocation process for ASN assistants;
 - area Principal Teachers;
 - Learning Centres, and
 - Residential and Day placements
- 3.4 Reports on the progress of the review have been presented to the Community Services Committee during 2015 however, following the Council decision at its meeting of 22 October 2015 to advance its decision on the Service Choices option relating to a 45% cut in ASN Assistant hours, the most recent update was presented to the Council meeting on 26th November 2015.
- 3.5 The main purpose of this report is to confirm the Council decision in relation to the operational review of Additional Support Needs (ASN) provision by Education Services. Future reports will be presented to the Community Services Committee as the review group progresses its remaining terms of reference

4.0 RECOMMENDATIONS

4.1 It is recommended that the Community Services Committee:

- a) Note the ongoing operational review of ASN provision by the Education Service, Community Services
- b) Note the decision by the Council at its meeting of 26 November 2015 in relation to operational efficiency savings and the service choices programme
- c) Agree that further updates on the progress of the ASN review will be reported to the Community Services Committee.

5.0

Legislative Framework

The Council has a responsibility to discharge its obligations in relation to education legislation, as prescribed in both the Standards in Scotland's Schools etc. Act and the Additional Support for Learning Act and in doing so seek to do this to a high standard. The Education (Additional Support for Learning) (Scotland) Act 2004 places duties on local authorities, and other agencies, to provide additional support where needed to enable any child or young person to benefit from education.

3.3 All staff within the Education Service have a responsibility to meet additional support needs. A child or young person with additional support needs is defined under the terms of the Education (Additional Support for Learning) (Scotland) Act 2009 as follows:

A child or young person has additional support needs for the purposes of this Act where, for whatever reason, the child or young person is, or is likely to be, unable without the provision of additional support to benefit from school education provided or to be provided for the child or young person.

3.4 The 2009 Education (Additional Support for Learning) Act's reference to school education links both the 1980 Education (Scotland) Act and the Standards in Scotland's Schools etc. Act 2000. The 2000 Act requires the education authority to ensure that school 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. The 2000 Act established, and the 2004 Act built upon, a 'presumption of mainstream', that is, a presumption in favour of providing mainstream education for all children.

3.5 In meeting additional support needs, all professionals should also be aware of the provisions within The Equality Act 2010.

3.6 The Children and Young People (Scotland) Act 2014 is the most recent legislation impacting on services directing at meeting additional support needs. Guidance is emerging at present and will require to be considered alongside the legislative context described above. Amongst other things, this legislation places specific duties on head teachers who act as Named

Persons and who have a key role in supporting children with additional support needs.

3.7 Delivery of ASN in Argyll and Bute

There is a high level of inclusion within Argyll and Bute with children and young people with a wide range of complex and challenging needs effectively supported within their local schools. At January 2011, only 47 children and young people from Argyll and Bute were educated in specialist day and residential placements out with the authority. Since that time this number has been further reduced by 50% with approximately 23 children and young people placed in external specialist resources at the present time. Given that a specialist placement can cost upwards of £250,000 per placement, the mainstream inclusion of pupils with high end complex needs is not only beneficial for the pupil and their family but also financially efficient. This number has remained relatively stable over the last 18 months. It should be noted however that there will always be a need for a level of specialist residential placements outwith the authority given the very complex needs for some pupils.

- 3.8 As at the start of academic year 2015/16, a total of (1,931) pupils in Argyll and Bute had been identified as having an additional support need equating to (18.4%) of pupils, slightly below the national average. These figures may change on a daily basis. Of that number, 940 had a need for a child support plan (CSP) reflecting their level of needs and around 570 of that number has an identified need for a level of ASN assistant support. These figures illustrate that not all pupils with an additional support need require a support plan with their needs being met by teaching staff in the classroom through strategies such as differentiation in learning and teaching strategies. Equally not all pupils with a CSP has a need for ASN assistant support which reflects an appropriate staged intervention approach.
- 3.9 Until June 2010, centrally funded support teachers were organised in Area Network Support Teams (ANST) and were line managed by Area Principal Teachers. Following a review of ANST arrangements, these teams were disbanded and the support teachers came under the line management of Head Teachers. This arrangement can hinder flexibility of deployment particularly in the primary sector and is an area that the Review Group are considering.
- 3.10 To ensure the success of the inclusive approach to meeting needs, significant resources are targeted directly to schools where staff work together to employ creative and flexible approaches to meeting needs. Parklands School in Helensburgh is the only free standing special educational needs school within the authority.
- 3.11 The Review Group established that the policy framework for meeting additional support needs in Argyll and Bute had not kept pace with the developing legislative framework. Much of current policy was needing to be reviewed and revised ensuring there is a common understanding of certain

key elements of practice such as staged intervention. Therefore one critical aspect of the ASN review was to agree areas of future policy development to allow current and future Education Service ASN policy framework to be fit for purpose.

- 3.12 The review of key aspects of ASN provision aimed to ensure that a service is in place which effectively and efficiently meets the needs of all learners in a time of severe financial constraint and do so in a fair and equitable way. The Council has a responsibility to discharge its obligations in relation to the relevant education legislation as outlined above and in doing so seek to do this to a high standard across the Argyll and Bute authority area.

5.0 DETAIL

- 5.1 The Council decision taken at its meeting of 26th November 2015 was that the Council:
- a) Notes the ongoing operational review of ASN provision by the Education Service, Community Services;
 - b) Notes the progress reached by the operational review group and the impact of that work in relation to achieving an equitable distribution of support and delivering on service efficiencies;
 - c) Agrees to link these operational efficiencies to the service choices programme from the start of academic year 2016-17 as outlined in section 5.5.3 resulting in a part year saving of £175,000 (full year equivalent of £280,000);
 - d) Notes that further updates on the progress of the ASN Review Group will be reported to the Community Services Committee;
 - e) Agrees the option of reducing ASN assistant support by 45% should be removed from the current service choices consultation programme;
 - f) Notes that the decision would reduce the savings options in terms of service choices by £1.090m full year costs;
 - g) Agrees that Community Services be instructed to identify alternative savings options to offset this reduction, for further consideration as part of the ongoing budget process;
 - h) Notes any remaining gap or shortfall will be dealt with as part of the budget process.

5.2 Next Steps for the Operational Review Group

5.3 Development of Staged Intervention Procedures

Two working groups, on staged intervention and more able pupils, were convened since June 2015. Staged intervention is at the core of how the Education Service responds to need. A clear and explicit framework was essential to effective and consistent intervention to meet those needs. There

had been no consistent position in relation to more able pupils. It was therefore considered necessary to develop within the framework a clear position and procedures to outline support provision for pupils who are considered to be 'more able'. A draft framework has been completed on schedule and it will be issued out in draft to all schools and parent councils for consultation during November/ December 2015 with the intention of being operationally adopted in January 2016.

5.4 Management of Peripatetic Support Teachers

The development of proposals for improved management arrangements for peripatetic support teachers to ensure the maximum flexibility in their deployment to schools.

5.5 Review of Learning Centres

The review of learning centre operations will also consider the need to maximise capacity to meet pupil ASN needs through the establishment of a Primary Learning Centre in the Campbelltown area and thus provide consistency of Learning Centre provision in the primary sector in all four mainland areas. This will identify specific provision for children with higher tariff additional support needs across all 4 mainland areas and concentrate support resources in identified locations. This will have to be developed in conjunction with an updated approach on Learning Centres – it is anticipated this work will be reported on by June 2016.

5.6 Looked After Children and Those at Risk of Becoming Looked After

The development of approaches to support the joint social work/education Alternatives to Care initiative. It is anticipated that this will reduce the amount spent on out of authority day and residential placements in the longer term.

5.7 Generic Support Assistant Role

The amalgamation of various support assistant posts to create the post of general support assistant. This will include classroom assistants, additional support needs assistants and pupil support assistants. An amalgamation of roles and responsibilities will maximise the flexibility of head teachers to prioritise and deploy support staff to better meet the needs of pupils with additional support needs. This may also reduce the number of staff currently employed as ASN assistant posts.

This may also involve maximising deployment flexibility within support assistant contracts through the introduction of area contracts.

5.8 Support for Children with a Hearing Impairment

The Review Group has noted a considerable increase in the number of children with a hearing impairment. Consideration will be given how best to adequately address needs of this cohort.

5.9 The progress of the ASN Review will continue to be reported to the Community Services Committee on a regular basis.

6.0 CONCLUSION

6.1 The decision taken by the council at its meeting of the 26th November 2015, results in an operational efficiency being accepted which is linked to the work of the ASN Review Group. The Review will continue to consider the remaining elements of its terms of reference and will report to the Community Services Committee on a regular basis.

7.0 IMPLICATIONS

7.1 Policy: The report links directly to Outcome 3 in the Argyll and Bute Single Outcome Agreement (Education Skills and Training maximises Opportunities for All).

7.2 Financial: The delivery of additional support to meet the identified needs of children and young people has considerable financial implications which require to be addressed during 2015-16 and beyond.

7.3 Legal: The council has a responsibility to discharge its obligations in relation to education legislation, as prescribed in both the Standards in Scotland's schools etc. Act and the Additional Support for Learning Act and in doing so seek to do this to a high standard.

7.4 Personnel: The Education Service will consult with relevant trade union colleagues on any impacts arising from the ASN Review and all efforts will be made to avoid compulsory redundancy. Discussions may be required with HR to vary contracts if the option of creating a general assistant post is pursued.

7.5 Equalities: In meeting the additional support needs of individual children and young people there is a requirements to be aware of the provisions within The Equality Act 2010.

7.6 Risk: Failure to address any issues arising from the completed review presents potential legal, financial, equalities and reputational risks to the council.

7.7 Customer Service: Addressing the terms of the review of Additional Support Needs provision may be perceived as a detriment to the current levels of service and may be contentious.

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30 November 2015

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