
ADDITIONAL SUPPORT NEEDS REVIEW UPDATE

1.0 EXECUTIVE SUMMARY

There has been a comprehensive review undertaken of the delivery and support for pupils with additional support needs in Argyll and Bute by Education Services. The review commenced in March 2015 with updates on progress presented to Community Services Committee in June 2015 and September 2016. The ASN review has developed and improved areas to allow the current and future policy framework and allocations process to remain fit for purpose and to meet the budget savings agreed by Council in February 2016.

- 1.1 The Education (Additional Support for Learning) (Scotland) Act 2004 places duties on Education Authorities to work to plan and make provision for children and young people with complex or multiple additional support needs. Through the implementation of Getting it Right for Every Child and Curriculum For Excellence, Argyll and Bute Council has set in place an ASN Service which recognises that all children and young people are different and to enable them to reach their full potential some may require additional support.
- 1.2 In Argyll and Bute children and young people with a wide range of complex and challenging needs are effectively supported within their local schools. This inclusive approach requires additional support needs resources to be targeted directly to schools.
- 1.3 This report updates members on the implementation of the review and the impact of the new allocations process on a demand lead service. The report also provides a comparison between the demand for ASN support in Argyll and Bute and the national picture.
- 1.4 It is recommended that Community Services Committee:
 - a) Consider the continued improvements to the ASN service through the implementation of the ASN review.
 - b) Note the projected overspend to the ASN Service in 2017/18 of £150k as demand for the service continues to increase and ASN support is required to meet these needs. It is expected that this demand led pressure will continue to 2018/19 and the Council's budget outlook has been updated to reflect this.

ADDITIONAL SUPPORT NEEDS REVIEW UPDATE

2.0 INTRODUCTION

- 2.1 This report updates members on the ongoing review of the Additional Support Needs service in Argyll and Bute and the challenges of delivering the service within the current and emerging legislative framework, level of demand for the service, parental and service user expectations and budget constraints.
- 2.2 This report follows on from the reports previously submitted to Community Services Committee on 12 March 2015, 4 June 2015 and 8 September 2016 and to Council on 26 November 2015.
- 2.3 In Argyll and Bute children and young people with a wide range of complex and challenging needs are effectively supported within their local schools. The Education (Additional Support for Learning) (Scotland) Act 2004 introduces the assumption of mainstreaming children with additional support needs. This inclusive approach requires additional support needs resources to be targeted directly to schools. This is part of a package of support arrangements which might include speech and language therapy, physiotherapy, occupational therapy, social work, educational psychology service, area principal teachers, peripatetic support teachers, pupil support assistants and classroom assistants in addition to the ASN assistants. All of this work is underpinned by Getting it Right for Every Child (GIRFEC) principles and is resulting in improved outcomes for children and young people across Argyll and Bute.

3.0 RECOMMENDATIONS

It is recommended that Community Services Committee:

- a) Consider the continued improvements to the ASN service through the implementation of the ASN review
- b) Note the projected overspend to the ASN Service in 2017/18 of £150k as demand for the service continues to increase and ASN support is required to meet these needs. It is expected that this demand led pressure will continue to 2018/19 and the Council's budget outlook has been updated to reflect this.

4.0 DETAIL

Legislative Framework

- 4.1 The Education (Additional Support for Learning) (Scotland) Act 2004 provides the legal framework for the provision of additional support for learning. The legislation was amended by the Education (Additional Support for Learning) (Scotland) Act 2009. The Act is structured around the concept of support being needed for any reason, and for short or long term periods determined by the individual learning needs of the child or young person. The key duties on Education Authorities are to identify, make provision for, and review provision for the additional support needs of children and young people for whose education they are responsible.
- 4.2 The Act also places duties on Education Authorities, (and in certain circumstances health, social work and skills development Scotland) to work to plan and make joint provision for children and young people with complex or multiple additional support needs. Through the implementation of Getting it Right for Every Child and Curriculum For Excellence, Argyll and Bute Council has in place an ASN service which recognises that all children and young people are different and to enable them to reach their full potential some will need additional support within their school setting.
- 4.3 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.
- 4.4 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. In meeting additional support needs, all professionals are also required to be aware of the provisions within The Equality Act 2010.
- 4.5 The Children and Young People (Scotland) Act 2014 and Education (Scotland) Act 2016 are the most recent pieces of legislation impacting on services directed at meeting additional support needs now also requires to be considered alongside the legislative context described above. Amongst other things, the Children and Young People (Scotland) Act 2014 places a statutory responsibility on Head Teachers or Lead Professionals to act as Named Persons and who have a key role in supporting children with additional support

needs and the establishment of a central Named Persons Service for children/young people access at times when schools are on holiday. The Education (Scotland) Act 2016 extends the rights of children aged 12 and over in certain areas of ASN. These include:

- Having additional support needs identified and assessed;
- Access to information, and
- Access to services that will help resolve concerns.

5.0 The ASN Service In Argyll And Bute

5.1 There is a high level of inclusion within Argyll and Bute for children and young people with a wide range of complex and challenging needs to ensure they are effectively supported within their local schools. To ensure the success of this inclusive approach to meeting needs, significant resources are targeted directly to schools where staff work together to employ creative and flexible approaches to meeting pupil needs.

5.2 As a result of this approach at September 2017, only 12 children and young people from Argyll and Bute were educated in specialist day and residential placements out with the authority. This number has shown a steady decline in recent months and years. However, this number can change on a week to week basis due to changing needs within the system and new pupils. Parklands School in Helensburgh is the only free standing special school within the authority. As of September 2017 the roll of Parklands School was 22 pupils.

5.3 Following approval by Community Services Committee in June 2015 a comprehensive review of the delivery of support for pupils with additional support needs was implemented by Education Services. The ASN review has improved areas of future policy development to allow the current and future Education Service ASN policy framework to remain fit for purpose. Progress on the review was reported to Committee in September 2016 and it is now nearing completion. The review has introduced:

- A revised ASN allocation process;
- A revised approach to support staff cover arrangements;
- The establishment of working groups on staged intervention and more able pupils;
- The amount of specialist time allocated to the teacher of Hearing Impairment was increased from 0.6FTE to 1.0FTE to reflect the increase in the number of children with a hearing impairment;
- Consolidation of management time for the Area Principal Teachers (APTs) who have an overview of additional support needs and as GIRFEC advisors across the Authority areas. This allowed maximum time to be spent on supporting schools in these roles, with APTs the first point of contact for Head Teachers and Education Officers on matters relating to ASN and GIRFEC, and
- An overview of the role and purpose of Learning Centres including admissions criteria, training needs of staff, equity of provision and the role

and purpose of Parklands School in Helensburgh and the wider Authority area.

5.4 The ASN Review Group will now move onto consider and develop the following:

- Updating the Education Service child protection guidelines;
- The support provision for vulnerable groups such as interrupted learners, young carers and gypsy travellers;
- The transfer of ASN assistants to area based contracts;
- Consolidation of management roles across the service including APTs and Peripatetic Support Teachers;
- Review of cover arrangements of ASN staff;
- Consideration to designating a primary school in South Kintyre as a Learning Centre;
- Providing effective support to the Alternatives to Education initiative, and
- To investigate the potential of a general school assistant post bringing together a number of posts with the aim of maximising the flexibility for Head Teachers to deploy support staff to better meet the needs of pupils with additional support needs.

5.5 Argyll and Bute Council currently employs 336 (169.64 FTE) ASN Assistants who are supported by 4 (3.5 FTE) Area Principal Teachers and a wider team of 38 FTE Peripatetic Support Teachers. The ASN service is included in the portfolio of services managed by the Education Manager (Inclusion and Integration) supported by an Education Officer and an Education Support Officer who both have additional responsibilities within the Service. ASN Assistants and Peripatetic Support Teachers are managed by Head Teachers in the school in which they are based. Area Principle Teachers, the Education Officer and Education Support Officer are managed by the Education Manager.

5.6 ASN allocations are based on an assessment of pupil need and the newly improved process in place to support allocations aims to ensure a consistent approach to assessment across Argyll and Bute. The allocation process is based on specific criteria and ASN Assistant support will only be granted when:

- Children and young people need an elaborated or highly individualised curriculum;
- Children and young people display persistent highly challenging behaviour, and
- Children and young people have medical needs.

5.7 The ASN allocation requests are considered in the first instance by the relevant Area Principal Teacher and the Head Teacher and the recommendations are considered by a panel of senior ASN officers and ratified by the Education Manager. A global figure is then allocated to the school and it is the responsibility of the senior managers in each educational establishment to decide where the allocated hours may best be used in the

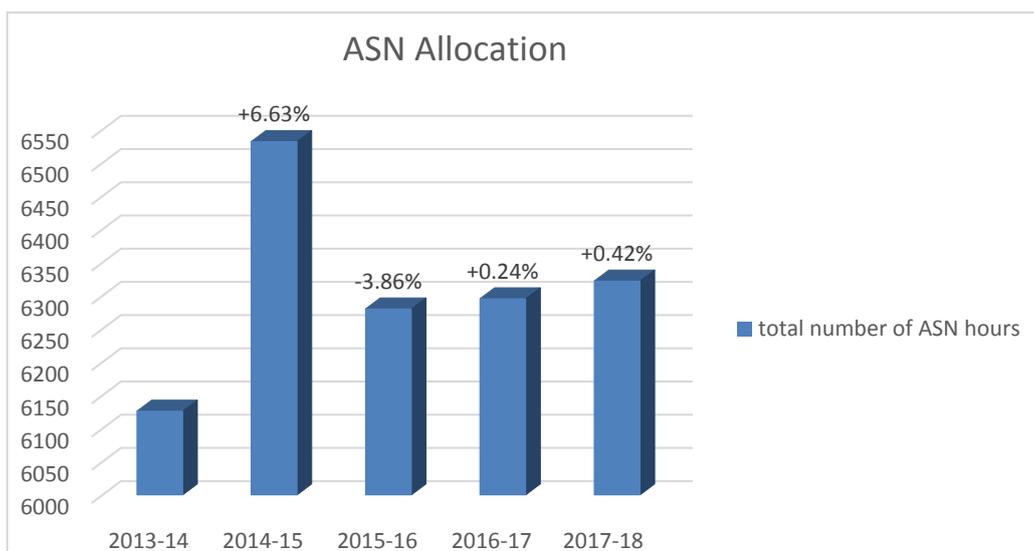
educational interests of learners.

5.8 The ASN allocation process begins in March each year when Head Teachers and Area Principal Teachers meet to discuss the additional support needs requirements for their school. The ASN hours are reviewed and allocated by May in advance of the new academic year starting in August. Any in year changes are captured through the mid-term allocation process which can often result in an increase in ASN hours allocated, depending on need. Mid-term allocation applications can be made for:

- Children and young people with appropriate additional support needs who arrive in Argyll and Bute mid-term;
- Children with additional support needs beginning in Early Years establishments during the session, and
- Children and young people who have social, emotional and behavioural difficulties and whose needs significantly change during the course of the session and for whom an ASN Assistant may be considered appropriate.

5.9 At the Council meeting on 26 November 2015, a report was considered which provided an update of the progress of the operational review of Additional Support Needs (ASN) provision of Education Services. At the meeting Elected Members agreed that the saving option to reduce ASN assistant support by 45% should be removed from the Service Choices consultation exercise underway at the time. Members further agreed to link the operational efficiencies identified in the report to the Service Choices programme from the start of academic year 2016-17 resulting in part year savings of £0.175m (full year equivalent of £0.280m). This decision was ratified at the Council's budget setting meeting on 11 February 2016, when Elected Members agreed as part of the revenue budget motion to reduce the 2016/17 ASN budget by £175,000 and the 2017/18 and future years budgets by £280,000. This reduction equated to an 8.4% reduction in ASN support in schools.

5.10 In 2013/14 the service provided 6,126 hours of ASN support across Argyll and Bute. In 2014/15 the service provided had risen to 6,532 hours of ASN support. Following the implementation of the new revised ASN allocations process in 2015/16, with tighter criteria, this had reduced to 6,280 hours of ASN support. In 2016/17 the number of hours rose again to 6,295.25 hours of ASN support and in 2017/18, including the mid-term allocations allocated as of 10 October 2017, the service is providing 6,322 hours. This is best illustrated on the graph below which shows the demand for ASN support and the percentage change across years. The implementation of the improved allocations process can be clearly seen in 2015/16. However, the service has been unable to implement the 8.4% saving as agreed to ASN support due to the demands for the service and adherence to legislative requirements.



5.11 In session 2017/18 2,348 pupils have been identified as having additional support needs, this equates to 23% of the total school roll across Argyll and Bute. Of this 2,348 pupils 175 pupils have a Coordinated Support Plan, 1,457 have a Child's Plan and 666 pupils are assessed as disabled.

5.12 The comparison between Argyll and Bute and the National picture is shown in the table below. In 2016 in Scotland 170,329 pupils (24.9% of all pupils) had additional support needs, the figure for Argyll and Bute is 21.78%

Pupils with Additional Support Needs

Total No of pupils	2013	2014	2015	2016
With Additional Support Needs in Scotland	131,621	140,542	153,190	170,329
With Additional Support Needs in Scotland as a % of the total school roll.	19.5%	20.8%	22.5%	24.9%
With Additional Support Needs in Argyll and Bute	1,846	2,007	2,067	2,247
With Additional Support Needs in Argyll and Bute as a % of the total school roll.	17.3%	19.0%	19.8%	21.8%
With a Co-ordinated Support Plan (CSP) in Scotland	3,279	3,128	2,716	2,385
With a Co-ordinated Support Plan (CSP) in Argyll and Bute	228	217	261	227
Assessed or Declared Disabled in Scotland	15,510	15,156	15,899	16,265
Assessed as Disabled in Argyll and Bute	469	571	548	634
With Child Plans in Scotland	12,102	15,946	20,235	25,095
With Child Plans in Argyll and Bute	269	519	688	928

5.13 The data above shows that Argyll and Bute has below the national average of pupils with Additional Support Needs. However caution should be taken when comparing local data to the national picture as in Argyll and Bute the ASN service has introduced the improved allocations policy and attempted to meet the expected budget savings.

5.14 The total expenditure and budget for ASN assistants can be illustrated in the table below. The ASN service was overspent in 2016/17 and is projected to be overspent again in 2017/18. These variances were managed within the overall Education budget and this position has been reported to Elected Members as part of the Council's budget monitoring procedures.

Year	ASN Assistants		
	Expenditure	Budget	Variance
2013/14	2,847,880	2,844,199	(3,682)
2014/15	2,872,802	2,874,514	1,712
2015/16	2,856,925	3,007,400	150,475
2016/17	3,281,000	3,189,224	(91,776)
2017/18 Projection	3,397,322	3,247,322	(150,000)

5.15 In Argyll and Bute the geographical challenges create a further impact on the ASN service being delivered and the ability for parents and carers to exercise choice when considering where best can support the needs of their children. Also our geography limits the flexibility within the service to deploy and share resource.

5.16 The impact of the implementation of the ASN savings can best be illustrated by the experiences of the pupils and their parents / carers using the service and our Head Teachers and ASN assistants delivering a service. The key issues emerging are the reduction in ASN hours in some schools, without an apparent reduction in need, due to the application of the new and revised criteria in the allocations process.

5.17 The impact of a reduction of ASN support in school for some children with significant needs and their families can have an impact on wider family life. Also a reduction in ASN assistants will result in experienced and skilled employees leaving employment and for those who remain in post concerns can arise that procedures, protocols and ways of working that have previously been in place to make school a viable option for the children with the most significant needs will no longer have the same impact.

6.0 CONCLUSION

- 6.1 In conclusion, as a direct consequence of the above the ASN service has regrettably been unable to meet the budget savings agreed in February 2016. The demand for ASN support in Argyll and Bute has continued to grow with children and young people presenting with complex additional support needs and, as a result it hasn't been possible to reduce the number of ASN assistant posts as anticipated while ensuring legislative compliance. There are, however still operational efficiencies within the service which can be delivered. Simplifying the management structure and reporting lines would lead to operational efficiencies, improved communications and a consistency of approach. Amending the contracts for ASN assistants so that they are contracted to localities rather than individual establishments provides greater flexibility and improves job security for employees. In addition to continuing to work on strategies to reduce the spend by looking at thresholds.
- 6.2 In 2015 the service chose to appoint ASN assistants on temporary contracts and this approach has now created additional problems as many staff have now accrued contract permanence. Concluding the implementation of the ASN review should address this issue as staff transition to new cluster contracts with permanent and guaranteed hours and can therefore be deployed wherever their skills and experience is best required to meet the needs of pupils.

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 will continue to be addressed during FY2017-18 and beyond.
- 7.3 Legal: The Council has a responsibility to discharge its obligations in relation to education legislation, as prescribed in the legislative framework outlined in this paper, and in doing so seeks to do this to a high standard.
- 7.4 Personnel: The service costs are predominantly in relation to staff costs. Recommendations will take full account of all personnel implications and close working with HR is required.
- 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: Failure to address the legislative framework for Additional Support Needs may result in challenges to the Education Service by parents/carers.

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6 November 2017

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