

**THE EDUCATION (ADDITIONAL SUPPORT FOR LEARNING) (SCOTLAND) ACT
2004 (AS AMENDED)**

1.0 EXECUTIVE SUMMARY

- 1.1 The main purpose of this paper is to update the Community Services Committee on the implementation of The Education (Additional Support for Learning) (Scotland) Act 2004. Ministers are required to report to Parliament on progress every 5 years and 10 years on from its implementation this is the second of such reports.
- 1.2 This paper gives information on the Education (Additional Support for Learning) (Scotland) Act 2004, referred to hereafter as 'The Act' and highlights the key figures contained within the report, and sets the relative figures for Argyll and Bute in this national context.
- 1.3 The Act provides the legal framework for the provision of additional support for learning in Scotland and 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.
- 1.4 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.
- 1.5 It is recommended that the Community Services Committee:
- a) note the figures contained within the report relating to pupils with Additional Support Needs (ASN) across Scotland and in particular the number of pupils within Argyll and Bute with additional support needs as a percentage of the total school roll; and
 - b) acknowledge the higher number of ASN pupils in Argyll and Bute with Coordinated Support Plans (CSPs), Individualised Education Plan (IEP) and assessed or declared as disabled in comparison to the national figures
 - c) note the ongoing review of ASN resource allocation procedures which will be reported on completion to the Community Services Committee.

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2.0 INTRODUCTION

2.1 The purpose of this report is to update the Community Services Committee on the implementation of The Education (Additional Support for Learning) (Scotland) Act 2004.

3.0 RECOMMENDATIONS

3.1.1 It is recommended that the Community Services Committee:

- a) note the figures contained within the report relating to pupils with Additional Support Needs (ASN) across Scotland and in particular the number of pupils within Argyll and Bute with additional support needs as a percentage of the total school roll; and
- b) acknowledge the higher number of ASN pupils in Argyll and Bute with Coordinated Support Plans (CSPs), Individualised Education Plan (IEP) and assessed or declared as disabled in comparison to the national figures
- c) note the ongoing review of ASN resource allocation procedures which will be reported on completion to the Community Services Committee.

4.0 DETAIL

4.1 The Education (Additional Support for Learning) (Scotland) Act 2004, referred to hereafter as 'The Act', provides the legal framework for the provision of additional support for learning in Scotland. 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.

4.2 There are a wide range of factors that may lead to children and young people having a need for additional support. These fall broadly into four

overlapping themes: learning environment, family circumstances, disability or health need and social and emotional factors. The key duties placed 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.

- 4.3 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. Where these needs are significant, require support from education and another partner agency, and will last more than one year - children and young people may have a statutory coordinated support plan to bring together all of the support to be provided to meet their learning needs.
- 4.4 The following sections provide a short summary of the key information presented within the report. A full copy of the Report may be accessed at <http://www.scotland.gov.uk/Resource/0044/00448013.pdf>.

Who has additional support needs?

- 4.5 In 2013 there were 673,530 pupils in Scotland's primary, secondary, special and grant-aided schools. Of those 673,530, 131,621 were identified as having an additional support need, around 19.5% of all pupils. This is a 1.5% increase on last year.
- 4.6 Of the 131,621 pupils identified as having an additional support need the following figures are attributed;
- 40,089 (30%) have an Individualised Education Programme (IEP), a decrease of 6% on last year.
 - 12,102 (9.1%) have a child's plan, provided through the Getting It Right for Every Child approach, an increase of 67% on last year. This would be anticipated given the implementation of GIRFEC and an increasing awareness by practitioners.
 - 3,279 (2.4%) were identified as having a Co-ordinated Support Plan (CSP), a decrease of 0.5% on last year.
 - 62% of pupils recorded as having an additional support need are boys and 38% are girls.
 - There were 795 pupils in independent special schools, 771 (96.98%) of these pupils were funded by Scottish Local Authorities.
 - 124,637 (95%) of pupils with additional support needs learn within mainstream schools.
 - 15,510 pupils were recorded as Assessed or Declared Disabled, an increase of 142 pupils on last year. This is 2.3% of all pupils and 11% of those recorded as having additional support needs.

- 4.7 Education authorities and schools identify most children and young people with additional support needs through their arrangements for assessing learning and for monitoring the educational progress of children and young people. Identification will usually involve discussion with parents and professionals involved with the child or young person, for example, class teacher, support for learning staff, speech and language therapist, social worker, foster carer or residential worker. It should build on other assessments already available. Duties under the Act and GIRFEC principles necessitate engagement of parents/carers and also children and young people who are able to contribute to decision making processes.
- 4.8 Prior to 2010, only pupils with Coordinated Support Plans (CSPs), Individualised Education Plan (IEPs) or who were attending a special school were recorded as having additional support needs. However, in 2010 this was extended to include anyone receiving additional support, regardless of whether it was under a formal plan. This has led to a large increase in the number of pupils recorded with additional support needs since 2010. It is important to note that the figures presented relate to information recorded on school's management information systems and may not reflect the 'non quantifiable' support provided to pupils in schools by classroom and support staff, or support provided which is not recorded within the management information system.

Argyll and Bute Context

- 4.9 Within Argyll and Bute there were 10,713 pupils on the school roll at September 2013, of this number, 1,817 (16.9%) had additional support needs. On a national level, this figure sits at 19.5% of the total school roll.

Figure 1.1 – Pupils with Additional Support Needs

| | With CSP | With IEP | With other support needs | Child plans | Assessed or declared disabled |
|--|-----------------|-----------------|---------------------------------|--------------------|--------------------------------------|
| ARGYLL & BUTE (10,713 pupils) | 101 | 950 | 709 | 182 | 561 |
| % of pupils with ASN (1,817 pupils) | 5.5% | 52.3% | 39.0% | 10.0% | 30.9% |
| Scotland (673,530 pupils) | 3,279 | 40,089 | 94,090 | 12,102 | 15,510 |
| % of pupils with ASN (131,604 pupils) | 2.5% | 30.5% | 71.5% | 9.2% | 11.8% |

- 4.10 Detailed information on the principal factors giving rise to additional support needs in Scotland is contained in Appendix 1.

- 4.11 The main reasons attributed to pupils requiring additional support in Argyll and Bute, as shown in figure 1.1, are social, emotional and behavioural difficulty, dyslexia or another specific learning difficulty such as numeracy. It should be noted that Argyll and Bute has a higher percentage of pupils with additional support needs with Coordinated Support Plans, Individualised Education Plans and Child Plans than the national figures.

Supporting Pupils with Additional Support Needs

- 4.12 Within Argyll and Bute the majority of children and young people with additional support needs have education provision made in their local pre-school centre or mainstream school. There are three Learning Centres offering enhanced provision to pupils with additional support needs. Two of the learning centres, which are in Oban (Oban High and Rockfield Primary Schools) and Lochgilphead Joint Campus are part of a mainstream school. Parklands in Helensburgh is a stand-alone learning centre making provision for pupils with complex additional support needs. Other schools offering learning centre style provision, but not designed as such, are Dunoon Primary School and John Logie Baird Primary School. The Pupil Support Service and Educational Psychology Service provides advice, guidance and training on additional support needs to staff in mainstream settings, as well as providing support for pupils with additional support needs, and supporting the implementation of universal early intervention approaches.
- 4.13 Internal Audit carried out a review of the arrangements that are in place for pupils with Additional Support Needs in Argyll and Bute in the beginning of 2014 and the following improvement actions were agreed:
- Assessment reports produced at Kirn Primary School were identified as adding value to the system already in place, consideration to be given as to whether these systems should be duplicated across the authority with a view to best practice.
 - The system by which schools bid each year for ASN resource should be reviewed as to whether this is the best mechanism to allocate resource to schools based on ASN need.
 - The timetable for carrying out the assessment mentioned above should be changed to bring it in line with the budget preparation process.
- 4.14 These actions are currently being implemented and the review of ASN support allocation will be reported back to Community Services Committee early in 2015.

5.0 CONCLUSION

- 5.1 Ten years on from the implementation of the Education (Additional Support for Learning) (Scotland) Act 2004, the Council's Education service is providing a higher percentage of ASN pupils with formal support plans in comparison to the national figure. Work within Argyll and Bute is underway to review the way we support pupils with additional needs in order to ensure the best possible provision is in place to meet the needs of learners.

6.0 IMPLICATIONS

- 6.1 Policy – None
- 6.2 Financial – A significant proportion of the Education Service budget is directed towards meeting the duties of the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended).
- 6.3 Legal – There are legal risks to the Council arising from any failures to full comply with the Act.
- 6.4 HR - None
- 6.5 Equalities – Compliance with the Act helps ensure children and young people have an equality of access to education services
- 6.6 Risk – There are legal and reputational risks to the Council arising from any failures to full comply with the Act.
- 6.7 Customer Service - None

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14th July 2014

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APPENDICES

- Appendix 1 - The principal factors giving rise to the additional support needs

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| | Pupils for whom reason for support is reported | Learning disability | Dyslexia | Other specific learning disability (eg. Numeric) | Other moderate learning difficulty | Visual impairment | Hearing impairment | Deafblind | Physical or motor impairment | Language or speech disorder | Autistic spectrum disorder | Social, emotional and behavioural difficulty | Physical health problem | Mental health problem and interrupted learning | English as an additional language | Looked after | More able pupil |
|------------------------------------|--|---------------------|----------|--|------------------------------------|-------------------|--------------------|-----------|------------------------------|-----------------------------|----------------------------|--|-------------------------|--|-----------------------------------|--------------|-----------------|
| Argyll and Bute | 1,814 | 182 | 324 | 279 | 260 | 64 | 39 | 0 | 134 | 230 | 148 | 353 | 110 | 31 | 48 | 93 | 0 |
| % of ASN pupils in Argyll and Bute | 99.8% | 10% | 17.8% | 15.3% | 14.3% | 3.5% | 2.1% | 0 | 7.3% | 12.6% | 8.1% | 19.4% | 6% | 1.7% | 2.6% | 5.1% | 0 |
| Scotland | 131,527 | 15,859 | 15,368 | 13,689 | 19,864 | 3,373 | 2,441 | 45 | 7,029 | 12,708 | 9,946 | 26,715 | 7,398 | 3,621 | 17,547 | 6,578 | 2,243 |
| % of ASN pupils in Scotland | 100% | 12.05% | 11.6% | 10.4% | 15.1% | 2.5% | 1.8% | 0.03% | 5.3% | 9.6% | 7.5% | 20.3% | 5.6% | 2.7% | 13.3% | 5.0% | 17.0% |

**note that some pupils will have more than one reason for requiring additional support.*