

ADDITIONAL SUPPORT NEEDS REVIEW UPDATE

1.0 EXECUTIVE SUMMARY

- 1.1 The main purpose of this report is to provide an update to elected members of the review of Additional Support Needs (ASN) provision by Education Services as outlined in Community Services Committee paper of 12th March 2015.

2.0 RECOMMENDATIONS

- 2.1 Community Services Committee is asked to:
- a) agree the areas for immediate development ASN as outlined in section 5.6
 - b) note the areas for further development as outlined in section 5.7
 - c) note wider consideration of Additional Support needs Provision as part of the Service Choices programme

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3.0 INTRODUCTION**3.1 Aim of Review**

The review of key aspects of ASN provision, aims 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. In so doing, the service to support children with additional support needs must meet the requirements of the relevant legislation and ensure equity of provision and resources across the Argyll and Bute authority area.

3.2 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. This number has remained relatively stable over the last 18 months.

- 3.8 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.
- 3.9 To ensure the success of the inclusive approach to meeting needs, significant resources are targeted directly to schools where staff work together to employing creative and flexible approaches to meeting needs. Parklands School in Helensburgh is the only free standing special school within the authority.
- 3.10 However, it is clear that the policy framework for meeting additional support needs in Argyll and Bute has not kept pace with the developing legislative framework. Much of current policy is needing to be reviewed and revised and it is unclear if there is a common understanding of certain key elements of practice such as staged intervention. Therefore one critical aspect of the ASN review is to agree areas of future policy development to allow current and future Education Service ASN policy framework to be fit for purpose.
- 3.11 The review of key aspects of ASN provision aims 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.

4.0 RECOMMENDATIONS

4.1 Community Services Committee (CSC) is asked to:

- a) agree the areas for immediate development ASN as outlined in section 5.6
- b) note the areas for further development as outlined in section 5.7
- c) note wider consideration of Additional Support needs Provision as part of the Service Choices programme

5.0 DETAIL

5.1 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.

5.2 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.

5.3 The Review group specifically examined the current model of provision and options in the following five areas; (see section 5.6 below)

- 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

5.4 The Review group is comprised of a representative sample of teaching staff from all sectors and areas across the authority area. 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 as and when required.

5.5 At the conclusion of the initial two days and the recall day, a clear direction had been agreed as to priority areas for future policy development and a decision had been made on how to address the matter of teacher cover overspend. The discussion also allowed a revised allocation process to be implemented in relation to ASN assistants.

5.6 Specifically, the Committee is asked to agree to the following actions arising from the Review are as follows;

5.6.1 The allocation process for ASN assistant staff is overly bureaucratic and does not always capture the appropriate level of allocation required by individual establishments. Therefore it is considered necessary to revise the method of allocation and insert an increased level of support and challenge into the

process which focusses specifically on individual need.

- 5.6.2 Two working groups, on staged intervention and more able pupils, have been convened. Staged intervention is at the core of how the education service responds to need. A clear and explicit policy framework is essential to effective intervention to meet needs. There is no policy position at present in relation to more able pupils. It was therefore considered necessary to develop a policy to outline support provision for pupils who are considered to be 'more able'. It is anticipated that both policies will be approved for implementation for the start of the 2015-16 school session.
- 5.6.3 There are currently 7.2FTE staff designated as Area Principal Teachers (APTs). These staff have an overview of additional support needs within each of the following areas; Helensburgh and Lomond, Cowal, Mid-Argyll, Kintyre and Oban, Lorne and the Isles (all 1FTE) and Bute, Islay and Mull (all 0.4 FTE). It is proposed that the remit of the Area Principal teacher is revised and the number reduces to 4FTE. This will mirror the allocation of Area Education Officers within the recent restructuring of the Education Central Team and it is envisaged that Area Principal Teachers and Education Officers will provide complimentary support.
- 5.6.4 Following the development of a revised overarching staged intervention policy, future policy development priorities for session 2015-16 should focus on Looked After Children, Learning Centres and Interrupted Learners.
- 5.6.5 There is a lack of clarity over the availability of cover for peripatetic support teachers. In addition there is a considerable overspend on the limited supply cover budget. For these reasons there is a need to urgently revise cover arrangements for support staff was agreed and more specific criteria for accessing cover for long-term absence is currently being produced for application from August 2015 onwards
- 5.7 Other areas for further development are;
- 5.7.1 The need for maximum flexibility in deployment of peripatetic support teachers achieved through the restoration of management of peripatetic support staff who work in primary schools back to Area Principal Teachers.
- 5.7.2 The need to maximise capacity to meet pupil ASN needs through the establishment of a Primary Learning Centre in the Campbeltown 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 a new policy on Learning Centres.
- 5.7.3 How best to provide support for 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.

- 5.7.4 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 maximize 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.
- 5.7.5 Maximise deployment flexibility within support assistant contracts through the introduction of area contracts.
- 5.7.6 There is a considerable increase in the number of children with hearing impairment. There is a need to consider how best to adequately address needs of this cohort.

6.0 CONCLUSION

- 6.1 The ASN Review has allowed a consultative forum to be established for ASN from which decisions can be made around policy, practice and budgetary matters. Work has already begun from decisions made at the Review days and areas of future development work has been identified which will allow for the provision of more effective and efficient interventions for children with additional support needs within an updated policy framework and increased financial constraint.

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 service costs are predominantly in relation to staff costs, future recommendations will take full account of all personnel implications. Discussions will be required with HR to vary contracts in order to create a general assistant post.
- 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.

Cleland Sneddon
Executive Director of Community Services

Councillor Rory Colville
Policy Lead for Education and Lifelong Learning
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For further information contact:
Ann Marie Knowles, Head of Service: Education
Tel: 013969 708474
email: annmarie.knowles@argyll-bute.gov.uk