

Moving Forward!

Additional Support for Learning



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ADDITIONAL SUPPORT FOR LEARNING

Ministerial Foreword

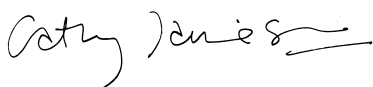
A child's early years and time at school provide precious opportunities for learning. Opportunities missed at these times can have a major impact on a child's chances in later life. For this reason, we are determined that children, who need extra help, receive the right support at the right time.

Last year we consulted widely on proposals for change which would strengthen the current arrangements for identifying and meeting the needs of children who may need additional support for learning. We have now published proposals for change in our draft Education (Additional Support for Learning) (Scotland) Bill. This document provides the context for these changes and sets them within an evolving framework of support for learning. It also links them to our national priorities for education.

Making the changes is not just about what happens in schools. We recognise the importance of joined-up working in delivering services for children who require additional support. These services must be well integrated and pull together. The agenda for change outlined in this document complements the positive steps being taken under the *For Scotland's Children* programme to improve the integration of children's services.

We are moving forward to a stronger framework for supporting learning. This framework is built around a commitment to inclusion and equality, and which welcomes diversity in our schools. We will work closely with staff who are in the frontline of delivering inclusive education for all Scotland's children. We will give children, parents and families a greater say in decisions affecting education so that all children can have the opportunity to develop and achieve to their full potential.

We still have much to do but I believe that our agenda for moving forward provides a basis for improving services to children who require additional support for learning and their families. This is what we all want and what they deserve.



Cathy Jamieson, MSP
Minister for Education and Young People



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What is our vision of the future?

We wish to see an education system that is inclusive, welcomes diversity and provides an equal opportunity for all children to develop their personality, skills and abilities to their fullest potential.

1. This vision has been agreed in discussion with members of the National Special Educational Needs Advisory Forum and underpins our strategy for meeting the needs of children who require additional support for learning.

Principles

2. Supporting this vision are certain key principles:
 - education must be **child-centred**, yet take a holistic approach to the needs of the child and his or her family;
 - schools should demonstrate a commitment to **inclusiveness**;
 - the **rights** and **views** of children, young people and their parents should be respected and listened to;
 - national and local policies for improving **standards** should include **all** children; and
 - allocation of resources by schools, local authorities and their partners should demonstrate a commitment to inclusiveness and delivery of **integrated services**; and take account of the **diversity** of local pupil populations.

Framework

3. The building blocks for a framework to take forward the above vision and principles have been laid in recent legislation and policies (see diagram below). Here we:
 - set out the context for the further changes that are required to complete a strategic framework for addressing the needs of all children who may require additional support for learning; and
 - locate our evolving policies for additional support for learning within the context of our national priorities for education in Scotland.

- 4.** New proposals are included in the draft Education (Additional Support for Learning) (Scotland) Bill and described in detail in a separate policy paper, both of which have been published for public consultation. Changes to the framework described here may be required, depending on the outcome of public consultation and subsequent Parliamentary debate.
- 5.** Our discussions with the National SEN Advisory Forum have taken account of the changing development of thinking in the area of special educational needs (SEN). While all children need support to learn, some face barriers to learning which call for specific provision to be made to help them to achieve. Such children may include those who are looked after by local authorities, Gipsy and Traveller children, those with English as a second language, or those with special educational needs. It was recognised that an inclusive framework should not see any one group of children in isolation. But nor should it assume that the barriers faced by such children are the same across different groups.
- 6.** Our intention here is to refer to some of the significant special educational needs milestones in the past, to what is currently in progress, or already planned, and to how the agenda for supporting the learning needs of all children is changing. Our intention is not to produce a prescriptive blueprint for change because that would constrain the creative, innovative responses which will be required over the next few years to adapt to changing circumstances. Nor are we able to refer to all the legislation and policies covering all groups of children who may receive additional support. Our aim is to work with local authorities, and all others concerned with ensuring that children who need additional support for learning make progress, to meet our commitment of doing the best we can for all children. In this document, we describe how that work can move forward.

Vision

We wish to see an education system that is **inclusive**, welcomes **diversity** and provides an **equal opportunity** for all children to develop their personality, skills and abilities to their **fullest potential**.

Principles

- Education must be **child-centred**, yet take a holistic approach to the needs of the child and his or her family
- Schools should demonstrate a commitment to **inclusiveness**
- The **rights** and **views** of children, young people and their parents should be respected and listened to
- National and local policies for improving **standards** should include **all** children
- Allocation of resources by schools, local authorities and their partners should demonstrate a commitment to inclusiveness and delivery of **integrated** services; and take account of the **diversity** of local pupil populations

Legislation

Standards in Scotland's Schools etc. Act 2000

- Education directed to "full potential" of the child
- Mainstreaming
- Children too ill to attend school

Disability Discrimination Act 1995 (as amended)

Race Relations Amendment Act 2000

Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002

- Accessibility strategies

Children (Scotland) Act 1995

Education (Scotland) Act 1980

- Rights/duties of parents and education authorities
- Placing requests

Policies

Assessing our children's educational needs: The Way Forward?

SEN Programme of Action

- promoting inclusion
- supporting children and families
- CPD and staff training

National Debate

Assessment Development Programme

Integrated services

- *For Scotland's Children* report
- *The same as you?* service review – learning disabilities
- *Implementing Inclusiveness, Realising Potential* Beattie report on transition to post-school provision

Draft Bill on Additional Support for Learning

National Priorities

Achievement and Attainment

Framework for Learning

Inclusion and Equality

Values and Citizenship

Learning for Life

Changing agenda

7. In recent years developments at international, national and local level have all contributed to major changes in legislation, policy and practice with regard to special educational needs.
8. The 1989 United Nations (UN) Convention on the Rights of the Child and other UN declarations on human rights have influenced the recent changes in Scottish and UK law relating to education and disability. The Standards in Scotland's Schools etc. Act 2000 reflects UN convention principles that all children have a right to education and to have their views taken into account when decisions are reached on their education. The Act also reflects international statements on inclusion, in that it requires that, wherever possible, children will be educated in mainstream schools. UK disability anti-discrimination legislation has been extended to school education. The Scottish Parliament's Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002 requires local authorities to improve accessibility to school facilities and the curriculum for pupils with disabilities.
9. The situation has moved on a long way from the 1970s when some children were deemed "ineducable" and were denied school education. The Education (Scotland) Act 1980 introduced legislation on the Record of Needs which aimed to ensure that children with pronounced, specific or complex special educational needs, requiring continuing review, could receive appropriate school education. The legislative model represented by the Record of Needs is one which is increasingly at odds with current policies on the development of inclusive education within an inclusive society. It is also out of step with the legislative changes outlined above.
10. The need for change was highlighted also in the Scottish Parliament Education, Culture and Sport Committee's (ECS) 2001 inquiry report into special educational needs. The ECS report recommended that more emphasis should be given to inclusive schooling and removing the environmental, structural and attitudinal barriers to the participation of children in mainstream education.

Additional Support Needs

- 11.** In 2001 we issued a consultation document – *Assessing our children’s educational needs – The Way Forward?* This invited comments on what changes were needed to improve and update the current assessment and recording framework. Subsequently the Executive consulted widely on proposals for change, including a proposal to alter the legislative terminology. We now propose a new legislative framework based around the concept of additional support needs. This proposal has been generally welcomed by professionals and parents alike. It is seen as being more open, positive and flexible and more inclusive, since all children need support to learn. The new framework will represent a more inclusive approach with a move away from the current negative connotations of SEN, which has too much of an emphasis on weaknesses and problems.
- 12.** There are many circumstances where children may require additional support to learn at one point or another during their school career. We are not able to list them all. However, the principles underpinning the new framework will encompass all children who face barriers to accessing and progressing in learning, for whatever reason.

We have published the draft Education (Additional Support for Learning) (Scotland) Bill which proposes a new legislative framework for schools, local authorities and other agencies that provide support for learning services.

Proposed changes

- 13.** Proposed changes will encompass the following key features:
- replacement of the current assessment and recording system (Record of Needs) with a strengthened, but streamlined, intervention process;
 - a new flexible Co-ordinated Support Plan (CSP) for children who face long-term complex or multiple barriers to learning and who require frequent access to a diversity of services from outwith education;
 - a new requirement for local authorities to have mediation services in place for early resolution of disputes;
 - extended rights of appeal for parents of children with a CSP to allow them to challenge the level of provision proposed; and
 - the establishment of an independent Tribunal to hear appeals.

National debate

- 14.** The introduction of a new framework to meet children's additional support needs is complementary to developments in Scotland's educational and wider integrated services agenda. Last year we undertook a National Debate on Education with pupils, parents, teachers, employers and others with an interest in the future of school-age education. More than 20,000 people participated directly in the Debate with over 800 events taking place. The debate revealed wide support for comprehensive education and the highly professional and committed teachers who make the system work. At the same time, it also showed that there is a need for more flexibility and choice in the curriculum so that schools can best meet the needs of individual pupils. Many of those who took part thought that education is about a lot more than exam results. They thought that life skills, attitudes and a broad understanding of the world we live in are also very important outcomes for school leavers.
- 15.** Many responses supported the principle of inclusion in mainstream where this was properly planned and resourced, and when classroom staff were able to access appropriate development and training opportunities. Some parents of children who required additional support said that they often had to fight for the support their child needed. This document and the draft Education (Additional Support for Learning) (Scotland) Bill sets out the strategic framework that aims to address these issues. The vision and principles underlying the framework are a key part of our plans for the education of Scotland's children following on from the National Debate.

Joining up services

- 16.** The learning outcomes for children who need additional support often depend on effective integrated working among professionals from different agencies. For example, teachers and speech and language therapists may need to work together to ensure the effective teaching and learning of children with language and communication difficulties.
- 17.** The Scottish Executive report – *For Scotland's Children* – highlighted the importance of an integrated approach to service delivery. A Cabinet Sub-Committee on Children's Services, chaired by the First Minister, is driving forward this agenda. The Changing Children's Services Fund has provided local authorities, the NHS, the voluntary sector and other interested parties with resources to re-orient their services in a more integrated way. Guidance on more integrated planning for children's services has been issued. Other initiatives include developing more integrated approaches to assessment, enabling those from different professions to share information and jointly decide upon action, and studies of workforce issues.

- 18.** Issues of supply and demand and workforce planning have been reviewed recently with regard to educational psychology services and several of the health therapy services which work closely with schools and pre-school centres. The report on the *Review of Provision of Educational Psychology Services in Scotland* highlighted the positive contribution that psychologists bring to the inclusion process. It suggested further options for working more effectively with education authorities and other agencies, to provide holistic services to children and young people in the settings of home, school and community. A National Implementation Group has been established to take forward recommendations to help improve working practices, quality assurance and service delivery.
- 19.** A joint education and health review group, supported by Queen Margaret University College, has examined supply and demand, management and organisation, and funding issues in respect of children's speech and language therapy, occupational therapy and physiotherapy services. We will consider what action needs to be taken in the light of the findings of the review group.

Resources

- 20.** Support for local authority expenditure on school education, including provision for additional support, is funded through the general local government settlement. Over the spending review period 2001-04, all authorities received substantial increases in general revenue grant support. Our spending plans have confirmed further substantial increases in general revenue grant support to local authorities for education over the next three years to 2005-06.
- 21.** In addition to general revenue support, local authorities have been provided with specific funding of £40.3 million over the three years to April 2003 to support the inclusion in mainstream schools of children who need additional support. This Inclusion Programme funding can also be used by local authorities to ensure equitable provision of school hours for children in special schools. Inclusion Programme funding is continuing as part of the Executive's National Priorities Action Fund and, in 2003-04, will be £20 million, rising to £25 million in 2004-05. A key task for local authorities is to develop a resource allocation model which, at authority level, rewards inclusiveness and so encourages the development of inclusive schools. It is for every local authority to consider local needs and circumstances, including the socio-economic characteristics of local pupil populations, in determining resource allocation to their schools.
- 22.** We have worked closely with education authorities to identify five key priorities for school education in Scotland. These cover the areas of achievement and attainment, framework for learning, inclusion and equality, values and citizenship, and learning for life. Each of the five national priorities has implications for pupils who may require some form of additional support for learning. Schools and local authorities are required to produce Local Improvement Plans for meeting the national priorities. The following section describes how the new additional support for learning framework fits with the priorities and other Executive policies.

Achievement and Attainment

To raise standards of **educational** attainment for all in **schools**, especially in the core skills of literacy and numeracy, and to achieve better levels in national measures of achievement including examination results.

Success for All

- 23.** We are determined that schools do all that they can to help all children achieve to the best of their abilities. There must be opportunity for all children, including those who face barriers to learning arising from social and environmental factors. Target setting is a vital focus for raising attainment and standards in Scotland's schools. A framework for setting targets in primary and secondary schools to raise attainment in reading, writing and mathematics has been established. Targets aim to improve the achievements of the lowest-attaining 20% of pupils. The Executive has agreed pilot Local Outcome Agreements in Highland, Stirling, and Perth and Kinross Councils. Social Justice Milestones include increasing the proportion of our children who attain appropriate levels in reading, writing and mathematics by the end of P2 and P7. Schools must also aim to ensure that all young people leaving local authority care will have achieved at least English and Mathematics Standard Grades.
- 24.** Under the School Improvement Framework three-year targets are set by schools and local authorities working together to reflect local circumstances. The setting targets framework includes specific provision for the complexities arising from the different kinds of provision, including mainstream and special schools. It also takes into account the range of pupils and the individualised nature of the educational programmes followed by pupils who require additional support for learning.
- 25.** The University of Aberdeen, funded through the Executive, has issued a *Success for All* pack to assist schools with setting targets for pupils who have additional support needs and who have individualised educational programmes (IEPs). The guidance takes account of the nature of the curriculum the pupils are following and provides advice on how special schools can compare attainment as part of networking with other similar schools. We will identify, in consultation with local authorities, an appropriate indicator which will allow schools to reflect their work with pupils with IEPs in raising standards of educational attainment and achievement, especially in numeracy and literacy.

Literacy and numeracy

26. We have invested considerable resources in assisting schools to raise the educational attainment of all children in Scotland. Investment in intervention strategies in the early years of primary school has resulted in significant increases in literacy and numeracy. National evaluation of the Early Intervention Programme concluded that the programme has had an “enormous impact on many schools in Scotland” with overall attainment rising, particularly in literacy. We wish to see these gains maintained. Support has been given for in-service training of teachers with particular emphasis on improving literacy and numeracy at the P6-S2 stages. And resources have been directed towards supporting family literacy schemes and providing home-link teachers. In June 2002 we launched national statements on promoting literacy and numeracy and established a Home Reading Campaign.

Pupil support plans

27. Pupil motivation and determination to learn can be strengthened by their active involvement in identifying learning outcomes. From 2003 schools will be expected to provide all pupils with a Personal Learning Plan (PLP). The PLP will provide a continuous record and action plan for learning which can be regularly updated throughout the pre-school and school years. The Scottish Executive is working with *Learning and Teaching Scotland* to develop the PLP process. PLPs will provide teachers with a working assessment tool which will actively involve children and families.

28. Many children who require additional support for learning already have an IEP which can be used to help identify specific child-centred learning outcomes. IEPs are outcome-focused – they state what a pupil is expected to learn and what support and resources they need to achieve this. The developing use of IEPs for children who require additional support to learn, including at the pre-school stage, will help to ensure a continuum of planning and support throughout the early and school years. The Executive’s Assessment Development Programme will develop one unified system, under which the Personal Learning Plan will bring together all current recording and reporting tools, including IEPs.

- 29.** Some children need support beyond the resources that are normally available to schools and pre-school centres. For example, some children may face complex or multiple barriers to access and benefit from learning, and require support from services or specialist expertise from outwith the education authority on a long-term basis. In future, these children may have a Co-ordinated Support Plan under new arrangements proposed in our draft Education (Additional Support for Learning) (Scotland) Bill. This Plan will require joint planning arrangements to be made by local authority, health, social services and voluntary agencies, where appropriate, for the most vulnerable children. It is expected that joint planning will become a regular part of local inter-agency work. The principle of least intrusive intervention that is effective will apply to the assessment and planning process used to support children.

We have published legislative proposals aiming to provide Co-ordinated Support Plans for children facing long-term complex or multiple barriers to learning and who require frequent access to a diversity of services from outwith education.

Curriculum development

- 30.** A range of advice exists to cover the curriculum framework for children from 3-14 and for young people undertaking national qualifications. Most of this advice applies equally to children who require additional support to learn. Where necessary, schools and authorities are expected to tailor the curriculum to meet the needs of all children. This has been given added importance following the requirement in the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002 that access to the curriculum for pupils with disabilities should be improved. We have issued guidance in Circular 3/2001 which encourages schools and teachers to be flexible and innovative in curriculum design and delivery to better meet the needs and wishes of pupils and to assist them to reach their full potential. The circular sets out the flexibility around and within current guidelines and explains new procedures which HM Inspectorate of Education (HMIE) will use when inspecting schools which are using more flexible and innovative approaches. Learning and Teaching Scotland and HMIE are collecting information on the variety of models being used by schools and will publish a report on good practice in this developing area of education.
- 31.** The Executive also funds particular curricular developments, where appropriate. For example, guidance for staff on an elaborated curriculum for children with complex learning needs was sent to relevant schools in 2001.

Quality assurance

- 32.** We wish to encourage a more outcome-focused approach across school education. The Executive's proposals for change to assessment and intervention for children who require additional support will include a focus on educational outcomes as expressed in pupils' Individualised Educational Programmes (IEPs) or Co-ordinated Support Plans (CSPs). In addition, the new **Scottish eXchange of Educational Data (ScotXED)** will introduce better gathering of information from schools on a broad range of information, including pupil placement and attainment. It will provide better pupil and teacher information enabling more accurate assessment of the impact of Executive policies, and assist the Executive and local authorities to secure continuous improvement in the quality of services for children and young people.
- 33.** Schools and education authorities will assess their own performance in meeting Priority One through the use of Quality Indicators from the revised version of *How good is our school?* and by following the advice in the *National Priorities in Education Support Pack*. HMIE will monitor performance in meeting the priority through its regular inspections of schools and education authorities, including, where appropriate, through joint inspections with social services and health agencies.

Framework for Learning

To support and develop the skills of teachers, the self-discipline of pupils and to enhance **school** environments so that they are conducive to teaching and learning.

Supporting staff

- 34.** Key elements in delivering an inclusive approach to education are the professionalism and expertise of staff. We have established a Ministerial Strategy Committee on Continuing Professional Development (CPD) to develop a National Framework for CPD to enable teachers from probation to headship to develop and maintain their skills and expertise. An inclusion subgroup of the committee is looking at how the CPD framework can address inclusion and equality issues, and ensure that teachers can develop the skills they need to work with children who require additional support to learn. The framework is based on three Standards – full registration, Chartered Teacher and Headship. Chartered Teacher programmes will be available from August 2003. The Executive will continue to work with teachers, local authorities and training providers to promote a national quality-based CPD framework which can both enable teachers to maintain professional status and adapt to meet the evolving support needs of all children.
- 35.** We are also examining what is required at the initial teacher education (ITE) stage to ensure that student teachers receive the training they require to prepare them for working with pupils. The review will include consideration of what level of knowledge and experience student teachers should acquire to help them work with pupils who require additional support for learning.
- 36.** Inclusive schools need the support of professionals ranging from class teachers to integrated specialist support teams. These can include support for learning staff, guidance, and behaviour support teachers, ancillary staff, health and social work colleagues, school and local authority managers and staff. Teachers and other staff can benefit from parents' knowledge of their own children, and the parental perspective is one which local authorities should consider when arranging in-service training opportunities for their staff. Under the New Community Schools approach staff are encouraged to see children and families within their wider social context. Such an approach requires the continuing professional development of staff including, where appropriate, joint training between education, social services and health staff. In 2002-03, the Scottish Executive has increased its support for the development and training of staff working with children who require additional support to £8.4 million (up from £5.4 million in 2001-02).

37. The Executive also funds national and local voluntary sector organisations in the education area working in partnership with local authorities and schools. For example, the Executive supports the Edinburgh University-based CALL Centre and the Scottish Sensory Centre. Both centres provide training and assessment support for staff working with children with severe language and communication difficulties and/or visual and hearing impairments.

Supporting pupils

38. A central aim of schools is to help pupils develop self-discipline, positive attitudes and expectations, and to respect themselves and other people. Schools have always had to address the needs of the broad range of children from their own communities. Schools that successfully address the needs of children who require additional support are likely to be ones which successfully address the personal and social development of all children. Inclusion of pupils who require additional support, where it is properly prepared and well-supported, can help schools to develop a positive ethos within which all pupils can thrive.

39. Teachers may encounter a variety of disruptive behaviour in the classroom ranging from low-level indiscipline to extremely challenging behaviour by troubled young people who face considerable difficulties in their lives. We worked closely with teachers, pupils, parents and a wide range of other professionals and interested parties, to produce the Discipline Task Group report “Better Behaviour – Better Learning”. The report highlights the inescapable links between good discipline and effective learning and teaching. It recognises that it is vital that we find ways of re-engaging and supporting disaffected pupils. All members of the school community can bring a range of skills, expertise, experience and commitment to working with children and young people who have social, emotional or behavioural difficulties. We are working with local authorities and schools to implement the report’s recommendations and to promote an environment where teachers can teach effectively and children can learn.

40. The Executive-funded Scottish Schools Ethos Network researches and disseminates good practice in establishing and promoting positive school ethos. We also fund a number of other initiatives aimed at, or impacting on, discipline in schools. These include the Alternatives to Exclusion Programme, which as part of our National Priorities Action Fund is providing £10 million per year to local authorities to help support pupils who have been, or are at risk of being, excluded from school. We also recognise that bullying in school can be an extremely distressing and difficult experience for all concerned and can act as a barrier to learning and teaching. We, therefore, fund the Anti-Bullying Network which offers advice and information to pupils, parents and teachers throughout Scotland.

School environment

- 41.** Pupils' responses to the national debate on education revealed the importance they attach to the physical environment of schools. Issues of classroom space, physical access, acoustics, signage and colour schemes can be crucial factors in ensuring effective teaching and learning for children who require additional support. Under the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002, education authorities (and independently run schools) have a legal duty to devise an accessibility strategy. This strategy aims to remove any barriers that disabled pupils might face in securing the educational opportunities that are the right of every child. The first strategies will be in place by April 2003 and must address, over time, improving physical access to buildings, improving access to the curriculum, and improving communication with disabled pupils. We are making £43 million available over an initial 3 years to assist education authorities meet the new duty.
- 42.** We are working with local authorities on a School Estate Strategy which is focused on providing better public services to children, young people and communities, through the school environment. The first stage of the new school building programme announced in June 2002 represents a £1.15 billion package of investment. Local authorities will be able to embed their accessibility strategies within their general plans for school building and refurbishment of provision in their area.

ICT and learning

- 43.** Information and Communications Technology (ICT) is rapidly changing the world we live in. It is changing the nature of society and is therefore changing the requirements placed upon schools. Increasingly, ICT has a greater role to play in meeting the needs of all learners. ICT can motivate and encourage learners, enable them to achieve successful learning outcomes and stimulate information handling and communication skills. Recent developments involve multimedia (the use of text, sound, image and video), computer networking and communications. These represent new opportunities to reduce the feelings of isolation felt by many pupils who require additional support and those who support them.
- 44.** We have invested over £90 million between 1999 and 2002 in supporting schools to make the most of ICT and the opportunities it provides. Ongoing support to local authorities is £20 million annually. Through the National Grid for Learning (NGfL) programme we are spending considerable sums (over £3 million in 2002-03) to develop digital content and services, much which is delivered free to schools either by CD or online via the NGfL Scotland web services.

45. Through our Innovation Grants Programme we have supported a range of projects aimed specifically at supporting the education of children who require additional support. These include projects such as the **ICT for All** support pack for teachers working with pupils who require support for learning; **Stories in the Air** BSL Dictionary project; **RNIB Scotland** Digital Audio in Visual Impairment project; and the **CALL Centre** project Introducing Voice Recognition Technology in Schools.

Inclusion and equality

To promote equality and help every pupil benefit from education, with particular regard paid to pupils with disabilities and special educational needs, and to Gaelic and other lesser-used languages.

Inclusive schooling

46. Our vision of inclusion refers to all, regardless of disability, gender and sexual orientation, religious persuasion, racial origin, and cultural and linguistic background. We wish to see all schools become inclusive schools. These are schools which welcome pupil diversity and develop an ethos and values which promote pupils' educational, social and cultural development. The recent HMIE report, *Count Us In*, recognised the challenges that teachers and schools face in developing inclusive practice. It also highlighted good practice which Inspectors found in a variety of settings in Scottish schools. They found that the inclusiveness of a school comes not from one setting or approach, but from the aims and values of the school, its climate and ethos, and the extent to which the needs of all individuals in the school community are addressed. Key aspects included the need for schools to have high expectations for all their pupils, the importance of effective leadership, and partnership in delivering inclusive education. HMIE will continue to seek out and report on good practice through its inspection programme and other activities. The Executive will support the dissemination of good practice identified through the Aberdeen University-based Inclusive Schooling project.

Mainstream

47. Section 15 of the 2000 Act requires education authorities to provide education in mainstream schools for all children except in certain prescribed situations. This requirement will take effect from August 2003. The Scottish Executive issued guidance in April 2002 to education authorities so that they could start planning for the introduction of the new duty.

48. We have given a commitment to monitoring the impact of the mainstreaming policy. National statistics will be collected on the number of pupils with special educational needs placed in special schools and units. These statistics will identify, also, the number of pupils in split mainstream/special school or unit placement by percentage of time spent in either setting. These statistics will provide one measure of mainstreaming. The Executive will conduct research into the impact of the new mainstreaming legislation. This will take account of advice from Audit Scotland, which has worked in partnership with HMIE to produce a report on how local authorities are preparing for mainstreaming, and to provide illustrations of good practice.

Improving access

49. From September 2002, it became unlawful to discriminate against disabled pupils and prospective pupils in the provision of education and associated services in schools, and in respect of admissions and exclusions. Local authorities, therefore, need to make sure that their schools are fully prepared to comply with the new duties. In addition, the Education (Disability Strategies and Pupils' Educational Records) (Scotland) Act 2002 requires local authorities and independent education providers to prepare accessibility strategies. The Scottish Executive has issued guidance to assist in this. Under their strategies, authorities and independent education providers should plan to improve over time access to the curriculum, the school environment and school information for pupils with disabilities. The Scottish Executive will monitor the percentage of schools which become accessible to pupils with a range of disabilities.

We will monitor the impact of guidance to local authorities and independent school providers with a view to disseminating good practice on implementation of accessibility strategies.

Specialist provision

50. Notwithstanding our commitment to mainstream schooling, we recognise that there is a continuing need for diversity of provision if the needs of all children are to be adequately met. Specialist provision in Scotland comprises publicly-funded and independent schools. There are 197 publicly-funded special schools and units containing 8,183 pupils¹. The independent sector contains 33 special schools with 1,038 pupils, while around 400 pupils attend seven grant-aided special schools.

51. We acknowledge the good work and commitment of special schools. In particular, specialist provision can provide customised packages of provision to meet the education, health and care needs of children with more significant or complex needs. We also recognise that specialist provision can play a vital role in preparing children to attend mainstream provision, or supporting them as part of a mixed placement. Where children are educated in special schools they should, where appropriate, receive comparable treatment to their peers in mainstream schools. In this respect, the Executive has issued guidance on the length of the school day in special schools to bring it into line, where appropriate, with hours in mainstream schools.

52. We are keen that mainstream schools and special schools can learn from each other and that exchange of knowledge and experience can be facilitated between both sectors. We recognise the important work that individual schools undertake which can be of valuable assistance to other schools across the country. For example, schools in the three Ayrshire Councils helped produce an Elaborated 5-14 Curriculum for children with complex learning needs. Similarly, the Royal Blind School in Edinburgh has helped produce curricular materials in braille for use in all schools with pupils with visual impairment.

¹ Scottish Executive, *2002 School Census Bulletin*

Empowering families

- 53.** Policies for equality and inclusion must include support for parents and families to be actively involved in their children's education. Key features of the new additional support needs framework will be requirements on local authorities to improve their support for parents and families and to have mediation services in place for early resolution of disputes. New extended rights of appeal for parents of children with a CSP to allow them to challenge the level and type of provision proposed for their child will also be introduced, with, in certain circumstances, a new right of appeal to an independent appeals Tribunal.
- 54.** Parents and families need good information and advice, which takes account of their cultural and language needs, if they are to be able to reach informed decisions on educational options. This is particularly so where information and advice are required on aspects of support for learning and additional needs. The Executive funds a national information and advice service – *Enquire*. This service aims to provide parents, families and children with information about their rights so that they can be fully involved in discussions on their children's education. A range of local voluntary information and advice services also exist which can provide in-depth local knowledge. Such voluntary services complement, but do not take away, local authorities' responsibilities to act as sources of good advice. Yet, *The Way Forward?* consultation exercise revealed the variable experiences, of families of children who require additional support, in accessing the information they require. Ministers wish to improve this situation.
- 55.** Under the proposed new legislative framework local authorities will be required to make all relevant information available to parents, whose children have additional support needs, so that they can play a full part in their child's education. In most cases, schools, pre-schools and pre-school community assessment teams, will be best placed to provide the information and support that families need. However, education authorities will be required to maintain overall co-ordination of advice and information services in relation to additional support for learning. In particular, they will be required to appoint a knowledgeable member of staff to work with families who should take responsibility for providing impartial advice and information.
- 56.** In some cases, families may wish to use the services of an independent adviser or advocate in their dealings with the local authority. Local authorities should inform parents that they can have someone to accompany, and advise, them in meetings, and should provide information about where to find a suitable person. For example, certain voluntary organisations would have relevant experience relating to children who require additional support and may be able to offer support in meetings.

57. In cases where an authority appoints a parent/family support officer to work with individual children and families, appropriate training and support should be given to the key worker or named person. Such a support worker should be recognised by all statutory agencies and be able to co-ordinate all professionals involved with a family to ensure practical support for the child/young person within the family, school and community. We are committed to ensuring that statutory and voluntary agencies work together in a co-ordinated way to meet the needs of the child and the family as a whole. For example, following *The same as you?* review of services for people with a learning disability and with autistic spectrum disorder, local authorities are appointing local area co-ordinators across Scotland. The co-ordinators will give information about, and arrange access to, available care and other support services for families and carers of children with a learning disability or autism. This will support families and assist children to take advantage of educational opportunities.

Mediation

58. The potential for disputes between schools, local authorities and parents is reduced when parents are fully involved in making decisions on their child's education. Inevitably, however, in some cases differences of opinion will arise. We are keen to support action to minimise disagreements and confrontations between local authorities and families. We believe local authorities should examine how a managed approach to advice and mediation might be used to avoid such situations. Such an approach should involve a staged process seeking to resolve disagreements informally and at the lowest level possible. Procedures and language should be parent and child friendly, and staff at all levels should receive training in these strategies.

59. The draft Education (Additional Support for Learning) (Scotland) Bill proposes a new duty on education authorities to provide mediation services aimed at resolving disputes. These mediation services should use independent and impartial mediators. Authorities may wish to work together to set up joint mediation services and contracts with mediators either from national/UK organisations or from the local voluntary sector.

The draft Education (Additional Support for Learning) (Scotland) Bill proposes duties on education authorities to improve advice and information services for families of children who may require additional support, and to introduce local mediation services.

Appeals

- 60.** Current legislation gives parents the right to appeal to Scottish Ministers on a small number of points relating to a Record of Needs. The draft Education (Additional Support for Learning) (Scotland) Bill proposes replacing the current assessment and recording system. There will be new rights of appeal to a new independent Additional Support Needs Tribunal in relation to the proposed Co-ordinated Support Plan. Appeal rights for parents of children with a CSP will include appeals against the nature of educational provision. Appeal rights will include the educational outcomes which have been set for the child and the provision (including school placement) proposed to meet these outcomes. The Tribunal will be able to make decisions which impact on all services which children with a CSP require to access education.
- 61.** The Additional Support Needs Tribunal will provide a more informal, user-friendly setting than that found in courtrooms and have much shorter appeal times than under the current lengthy appeal process for Record of Needs.

The draft Education (Additional Support for Learning) (Scotland) Bill proposes new appeal rights in relation to children with a Co-ordinated Support Plan and the establishment of a new independent Additional Support Needs Tribunal to hear such appeals.

Values and Citizenship

To work with parents to teach pupils respect for self and one another and their interdependence with other members of their neighbourhood and society and to teach them the duties and responsibilities of citizenship in a democratic society.

Ethos

- 62.** Schools and authorities are expected to demonstrate, in their improvement plans, arrangements to develop values, attitudes and ethos which support inclusion amongst school staff and pupils. One of the benefits of strong inclusive policies is that pupils can learn from the diversity of culture that a wide range of pupils brings to school. Respect for self and one another can develop from this diversity.
- 63.** Pupils can also learn co-operative skills from each other through peer support and mentoring. Through our Innovations Grants Programme we have supported a number of peer support and mentoring pilot projects. For example, **Parent to Parent** voluntary group has developed a CD-ROM to promote peer support in schools. **National Deaf Children's Society** has developed a *Pilot Peer Education Project* which involves appointing and training deaf adults to act as positive role models for deaf children and young persons.

Rights of the child

- 64.** We are in favour of an inclusive strategy for education which takes account of the rights and needs of all children and their families. This inclusive child-centred approach is reflected by the Standards in Scotland's Schools etc. Act 2000.
- 65.** The Act:
- confirms a child's right to education;
 - requires that 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;
 - calls on an education authority to have due regard to the views of children and young persons;
 - strengthens a child's right to be educated in mainstream schools alongside their peers; and
 - ensures provision of education for children too ill to attend school.

Children's views

- 66.** The Act provides for the views of children to be heard by an education authority on issues which affect their education. An education authority must have due regard, so far as is reasonably practicable, to the views (if there is a wish to express them) of children or young persons. In doing so they should take account of the child or young person's age and maturity. Arrangements should be made to include the opportunity for evaluative feedback from young people on their experience of education. Local authorities should also consider how children and families can be enabled to have an input to decisions taken by local authorities (and their partners) about the policies and strategies for delivering services.
- 67.** In recent years, the Scottish Executive has funded a number of projects aimed at promoting better communication and engagement between children and young people and professionals. Projects have been funded in areas across the SEN spectrum – e.g. children with learning disabilities, severe communication difficulties, emotional and behavioural problems. This recognises that all children who require additional support should have the opportunity to be involved. They should be able to choose a supporter they feel most comfortable with to accompany them to meetings, act as their voice where this is preferred, and explain the decision-making process to them.

We will bring forward guidance which will advise on the principles and methods of involving children with additional support needs in decisions which affect their education.

Learning for Life

To equip pupils with the foundation skills, attitudes and expectations necessary to prosper in a changing society and to encourage creativity and ambition.

Role of the school

- 68.** We expect schools to play a key role in encouraging children's hopes and expectations for the future and in providing them with the life skills they require to help achieve their aims. We also want children's experiences of school to equip them with a desire for life-long learning and an interest in wider cultural, sporting and social activities. Some life skills (e.g. ability to use ICT) can be assessed quite easily. Other aspects of individual ambition or creativity are not measured by the outcome of exam results. Under the Schools Improvement Framework, schools are encouraged to look at the level and range of pupils from S1 to S6 participating in key cultural, sporting and social activities outside the core curriculum.
- 69.** Partnership with local voluntary organisations can often assist schools to develop programmes for working with pupils who require additional support. For example, projects funded through the Innovations Grants Programme include Collusion Theatre Company's **Collaborate** project aimed to facilitate the development of social skills of young people with an autistic spectrum disorder. Drake Music's **My Life** project encouraged children and young people in specialist provision to share personal experiences, ideas and plans through a variety of media such as music and drama.
- 70.** The Executive is working with local authorities and schools to identify and promote creativity and to develop quality physical education in schools. In line with inclusive practice these policies will include pupils with disabilities, and those who need additional support.

Moving on

- 71.** A key stage in the education of all children is the transition to post-school provision. As pupils approach school leaving age, or in some cases are at risk of dropping out, schools need to focus on the support that individual pupils need to move out of school and into the placement which is best suited for them. This could be in further or higher education, training, employment or some other destination. The Executive-funded Enquire service has produced *Life at School and Choices at 16+*, a series of booklets which aim to give secondary-age students who need extra support, information on a range of school and post-school issues. The booklets are supported by a video *Having Your Say at School* which looks at young people's experiences of participating in meetings to reach decisions on their future. The HMIE report *Moving On: From School to College* provides examples of good practice in the work of schools and further education colleges in helping young people who need some additional support in transferring to college.
- 72.** At the transition stage to post-school, parents and young people want to ensure that all steps necessary for the handover from child to adult services have been taken before the young person leaves school. For example, a key worker/co-ordinator may be necessary to work across agencies throughout the transition. Emotional support, perhaps through a peer support group, may help young people with particular needs to learn from, and support, one another. Also, young people and their families need accurate information on how services will change in an adult world. They need to be reassured about consistency in service provision, particularly where respite services are required. Some young people will require supported integration into further education, e.g. from a small school to a large college.

Future needs

- 73.** Young people are assisted in the transition to post-school by schools' guidance staff with support from careers advice services. For most children, including many who need additional support, this is sufficient to allow them to make informed choices on their post-school options. Some children, with significant additional support needs, require more than this. Input may be required from professionals in social services, health and specialist careers advice.
- 74.** Current legislation provides for a multi-agency Future Needs Assessment (FNA) between the ages of 14 and 16 years for pupils who have a Record of Needs. This recognises that their special educational and other needs will continue to require particular support when they leave school. The current FNA arrangements are restricted to relatively few pupils, the numbers of which fluctuate across authorities with the variation in recording rates. They, therefore, exclude many pupils with significant support needs who may also require additional help, in particular pupils who have an IEP but are not recorded.

The draft Education (Additional Support for Learning) (Scotland) Bill proposes a general duty on education authorities to have due regard to the need for appropriate arrangements at all key transition points in a child's schooling. This includes transition to post-school provision. The new duty will require an education authority to notify those agencies which will be required to support those young people who are likely to experience difficulty with the transition and to need extra support beyond school.

Beyond school

- 75.** Changes in policy, legislation and practice with regard to children who receive additional support at school have led to increased expectations in terms of post-school provision. This is likely to increase in future. The 1999 Beattie Committee report, *Implementing Inclusiveness, Realising Potential*, addressed the issue of transitions post-school and many of its recommendations aim to improve the capacity of the post-school sector – education, training and employment – to meet needs more effectively.
- 76.** As well as looking “downstream”, we should also acknowledge the importance of “looking upstream”. That is to say, the contribution of effective early intervention towards effective transitions post-school. A significant body of social research identifies young people who require additional support as those most at risk of making poor transitions. A reduction in the number of young people not in education, employment or training (the so-called “NEET” group) is a key objective of the Scottish Executive. It is enshrined as a Social Justice milestone and features in the performance objectives of *Careers Scotland*, as well as *Smart, Successful Scotland – Ambitions for the Enterprise Networks*.
- 77.** Under *The same as you?* review of services for people with learning disabilities (May 2000), area co-ordinators are currently being appointed locally. Co-ordinators have a key role to play in smoothing the transition from child to adult services. They have a pivotal role within the local authority, with links to professionals and services in a range of other organisations, from the NHS through to the voluntary sector. Their tasks include giving information about services available and making the connections, helping individuals with learning disabilities, or autistic spectrum disorder, to make plans for the future, and to help them achieve what they want for themselves .
- 78.** In future, changes in the way services are planned and delivered for people with a learning disability mean that children moving into adulthood should be able to access services which are designed around their own particular needs and aspirations. This is not just about care services, but also about empowering children leaving school to consider their options in relation to employment and lifelong learning. School initiated assessments should consider employment as a real option for people with learning disabilities. Maximising potential does not stop at the school gate.

Conclusion

- 79.** In this document we have set out the strategic framework within which our evolving agenda for supporting children's learning is located. It has not been possible to cover all aspects of the Scottish Executive's policies which have an impact on ensuring that children receive additional support for learning when they need it. In particular, we have not sought to set out the work being conducted by the Executive, local authorities and other agencies, across the whole spectrum of additional support needs.
- 80.** We intend to revisit our vision and principles, and the strategic framework. In doing so, we shall take account of responses to the public consultation on the draft Education (Additional Support for Learning) (Scotland) Bill. In addition, we shall re-examine the framework and our policy agenda in the light of the outcome of the Bill's progress through the Scottish Parliament.
- 81.** This document has not been written as a formal consultation document. However, any comments you wish to provide will be welcomed and will help inform future versions.

Comments can be sent to:

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