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**Citation for published version:**

Riddell, S & Weedon, E 2017, 'Social justice and provision for children with additional support needs in Scotland' *Education, Citizenship and Social Justice*, vol. 12, no. 1, pp. 36-48. DOI: 10.1177/1746197916683469

**Digital Object Identifier (DOI):**

[10.1177/1746197916683469](https://doi.org/10.1177/1746197916683469)

**Link:**

[Link to publication record in Edinburgh Research Explorer](#)

**Document Version:**

Peer reviewed version

**Published In:**

Education, Citizenship and Social Justice

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# **Social justice and provision for children with additional support needs in Scotland**

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## **Abstract**

Since the re-establishment of the Scottish Parliament in 1999, successive administrations have reaffirmed their commitment to social justice. However, despite high level equality policies, social class inequality is a major feature of Scottish society, affecting all social policy domains including education (Commission on Widening Access, 2016). In this paper, we provide a brief overview of the development of support for children with learning difficulties and disabilities within the context of Scottish comprehensive schooling. We then consider the way in which ideas of social justice are reflected in education for learners with additional support needs (ASN), whose numbers have expanded over recent years and who are particularly likely to live in the most deprived parts of Scotland. Using family case studies, we explore the experiences of families from different social backgrounds whose children have been identified as having ASN. The data suggest that children living in deprived areas experience cumulative disadvantage, attracting stigmatising labels without the benefit of extra resources necessary to improve educational outcomes. By way of contrast, those from more advantaged areas are generally more successful in avoiding stigmatising labels whilst ensuring that facilitating resources are in place. Findings are discussed within Fraser's three dimensional framework of social justice, encompassing distribution, recognition and representation (Fraser, 2005).

**Key words:** social justice, inclusion, additional support needs

## **Introduction: social inclusion and the expansion of additional support needs**

Despite the policy rhetoric of social inclusion, Scotland remains a highly unequal society. The UK is the fourth most unequal country amongst the OECD 34, with the top fifth taking 60% of income, a

hundred times more than the bottom fifth. Over the past 30 years, in both Scotland and the rest of the UK, the share of national income taken by the top 1% has increased from 6% to 14% (Parker, 2013). There is a strong and enduring association between social background and educational attainment, contributing to the reproduction and amplification of social inequality across generations. Despite efforts to reduce the attainment gap, Scotland is in the middle range of OECD countries with regard to equity (OECD, 2007), despite achieving relatively high average scores in the Programme for International Student Assessment (PISA) tests.

Pupils with ASN have on average, significantly lower educational outcomes than their peers and within the group there is a strong association with social class background (Fordyce et al., 2014). This intensification of economic inequality has particularly adverse effects on disabled people, including young people with additional support needs (Fordyce et al., 2013; Riddell et al., 2010). It has often been assumed that identifying increasing numbers of children with additional support needs will automatically lead to a narrowing of inequality in educational outcomes. This paper explores the social processes underpinning the expansion of the additional support needs category and the disadvantages which continue to adhere to pupils from socially deprived backgrounds. First, however, we outline the theoretical context within which the study is located.

## **Conceptualising social justice**

Theoretical debates about the concept of social justice have a long history, influenced by Rawls' *A Theory of Social Justice*, published in 1971. Drawing on Rawls' ideas, Miller (1999) suggested that social justice should be understood in terms of the underpinning rationale of 'how the good and bad things in life should be distributed among the members of a human society' (Miller, 1999: 1). More recent thinking on this topic has been influenced by Fraser's tri-partite conceptualisation of social justice in terms of (re)distribution, recognition and participation (Fraser, 2005). Within the field of education, this suggests the need to examine (i) the fairness of resource allocation and

outcomes, (ii) the acknowledgement of and responsiveness to student diversity and (iii) students' involvement in decision-making and democratic processes within school and society.

## **The claims of justice and injustice**

In order to assess what is required to secure social justice, it is necessary to identify the source of injustice. As noted above, three sources are frequently invoked: inequalities of income, wealth and access to positional goods such as educational qualifications; the socially constructed differences between groups; and the differential rights accorded to members of different social groups to participate in democratic processes. These are discussed in more detail below.

Gross inequalities exist in the distributions of material resources and social goods such as education and health in Scotland and the rest of the UK (Hills et al., 2010). These structural inequalities between groups have been seen as the source of social injustice for many years, to be counter-acted through the **politics of redistribution** (Harvey, 1992). A key feature is that such inequalities carry over to other spheres, so that poverty can be implicated in poor health or educational outcomes (Sosu and Ellis, 2014). This effect of inequalities in preventing people from living together on equal terms is a common feature of writing on redistributive social justice, drawing on the politics of class and the welfare state (Smith, 1994; Walzer, 1983).

There is a growing focus within public policy on the **politics of recognition** (Fraser, 2001; Honneth, 1995; Kymlicka, 1995; Young, 1990), which asserts that some kinds of injustice are *cultural* rather than simply material in origin. Injustice exists when cultural norms serve to oppress certain groups, so that dominant social groups use their cultural power to assert the rectitude of their values and beliefs, denying the equal status of other groups. In schools, for example, homophobic, sexist or racist bullying, or the marginalisation of certain groups on the grounds of social class or disability, signals lack of cultural recognition.

Writers such as Phillips (1995) have focused attention on the **politics of representation**, arguing that inclusion in the political process influences the nature of decision-making and policy priorities. For example, Scandinavian countries with relatively high levels of female political representation emphasise the importance of state-funded child care, since this has a major impact on women's ability to participate in the labour market (Green and Janmaat, 2011). School-based forms of participatory democracy such as school councils may play a key role in shaping children's sense of representational fairness and their understanding of the politics of recognition.

Of course, as Fraser (2001) and Phillips (1997) have argued, these types of social justice are strongly associated with each other. For example, redistributive measures produce greater levels of economic equality, ensuring that individuals and groups are shielded from the social stigma of poverty and are able to participate in public institutions and decision-making. The following discussion of additional support needs policy and practice in Scotland illuminates the nature of these connections.

## **Research methods**

This paper uses a range of data on additional support needs policy and social inequality drawn from a project on alternative dispute resolution in England and Scotland. The project was funded by the ESRC (RES-062-23-0803) between 2007 and 2009 and used a mixed methods approach comprising: (i) analysis of policy documents and administrative data, (ii) key informant interviews, (iii) surveys of local authority respondents and parents of children with additional support needs, and (iv) case studies of 49 families in six local authorities (Riddell and Weedon, 2009; 2010). This paper focuses on six Scottish families whose child or children had been identified as having additional support needs. Through interviews, observation and analysis of documents and records, we examined the nature and quality of the resources they received, the impact on their social identity, their degree of involvement in the decision-making process and access to redress.

Drawing on Fraser's conceptualisation of social justice in terms of redistribution, recognition and representation, our aim is to shed light on the processes and practices shaping their experiences and outcomes. In the following section, we provide a brief overview of the proportion, placement and social characteristics of children identified as having additional support needs.

## **Patterns in the identification and placement of children with additional support needs**

In the context of a growing focus on inclusion, the Education (Additional Support for Learning) (Scotland) Act 2004 changed the way in which support for pupils with learning difficulties was managed, increased the number of categories used in relation to reasons for support and enhanced the rights of parents to challenge local authority decisions. Since that time, there has been a considerable increase in the number and proportion of pupils with ASN, with approximately 20% of the school population identified as in need of additional support. The majority of these pupils are located entirely or mainly in mainstream classrooms, with about 1% of the pupil population enrolled in special schools or units (Riddell, Harris and Weedon, 2016).

There are links between certain categories of difficulty and pupils' social background. Analysis using the Scottish Index of Multiple Deprivation shows that pupils from less advantaged neighbourhoods were disproportionately identified as having ASN (Riddell and Weedon, 2016). In 2015 more than 28% of pupils from the most deprived neighbourhoods were identified as having ASN, compared with 16% from the least deprived. This effect was particularly marked in relation to pupils identified with social, emotional and behavioural difficulties, a particularly stigmatised category identified disproportionately amongst boys from poor neighbourhoods. Despite higher rates of ASN identification, pupils from deprived neighbourhoods were relatively less likely to have a Coordinated Support Plan (CSP) compared with pupils from more advantaged neighbourhoods. This discrepancy is important to note because a CSP provides some guarantee of entitlement to

additional resources and legal redress. In 2015, 1.3% of pupils with ASN from the most deprived areas (SIMD 1) had a CSP compared with 2% of those with ASN from the least deprived areas (SIMD 5).

To summarise, the proportion of children identified as having additional support needs is increasing, and they are disproportionately drawn from poorer neighbourhoods, particularly those identified with social, emotional and behavioural difficulties. This tends to be a highly stigmatised label, with strong links to school exclusion and youth offending. CSPs are issued to a very low proportion of pupils (about 0.1% of the total school population) and pupils with ASN living in richer areas are twice as likely to receive such a plan compared with their peers in the least advantaged neighbourhoods. The case studies presented below provide insight into the experiences of families from different social backgrounds as they negotiate access to resources, identity and involvement in decision-making and redress.

## **Family case studies**

In the following section, we present brief case studies illustrating the contrasting ways in which parents from different social backgrounds negotiate educational provision for their children with additional support needs, and the social justice implications of their strategies. As noted earlier, the ESRC funded project from which these case studies are drawn explored the ways in which parents sought to secure support for their child with ASN, and their degree of dexterity in using a range of redress mechanisms. We present case studies of six families, three categorised as working class and three categorised as middle class using NS-SEC (National Statistics Socio-Economic Classification) classification of occupation. Families where one or both partners was employed within NS-SEC categories 1–3, encompassing professional, managerial and transitional (clerical, sales, service) jobs, were counted as middle class. Families counted as working class included those where one or both partners was employed in NS-SEC categories 4–7, including



small employers and own account workers as well as those in skilled manual, semi-skilled manual and unskilled manual work. Families where parents were unemployed or economically inactive (NS-SEC 8) were difficult to categorise, so we took account of earlier employment and qualifications. We were aware that occupation is very important because of its association with the economic and material status of both the individual and family (Hills et al., 2010). However, cultural capital and social networks are also important in terms of facilitating or hindering negotiations with professionals over the distribution of educational resources. The case studies presented below are intended to elucidate differential access to various forms of economic, social and cultural capital, all of which play an important part in the negotiation of power relationships between parents and professionals. The three socially disadvantaged families are presented first, followed by those in less deprived circumstances. In the discussion, we consider what may be learnt from their experiences in terms of the different types of social justice described earlier.

### *The McDougall family: problems with language, literacy and communication*

Mr McDougall was married with five children, two of whom had additional support needs. A son aged three had been diagnosed with developmental delay and a daughter, Marie, was diagnosed with dyslexia and coordination difficulties when she was seven. She was 13 years old at the time of the research and was at secondary school. Mr McDougall lived in social housing in an area of socio-economic deprivation on the west side of Seacity. He was White/Scottish, in his early thirties and worked as a sales assistant in a supermarket. His wife was not present at the time of the interview and Mr McDougall was the parent in touch with the education authorities.

Disagreements about Marie's education began with a school placement dispute while she was still at primary school and arguments about support continued into high school.

When Marie was seven, the family moved house and the local primary school was not seen as appropriate by Mr McDougall because Marie would have to walk a considerable distance and cross a busy road. A placing request to an out of catchment school was initially refused but later

agreed to by the council. At the time of transition from primary to secondary, Mr McDougall requested a place for Marie in a special unit attached to a local secondary school. Following the submission of reports from the educational psychologist and family social worker, this request was granted.

Each change of placement involved ongoing arguments between the family and the local authority. Mr McDougall was most vociferous about the lack of appropriate information for parents who themselves have additional support needs, describing himself as having dyslexia.

... as a parent with learning difficulties myself, the primary school ... did try to involve me ... [but] instead of me getting letters from the school, the secretary sometimes phones me which is a good thing, right, but it doesn't always happen, so it's totally random so to speak, and depending how busy the secretary is, and if she can fit me in, or that's the way it felt. But I have to rely on letters from the school, and it's not very good for when I can't read and write myself, and I find that hugely complicated.

The second dispute regarding Marie's transition to secondary school was also complicated by difficulties in communication between the father and the local authority, and his perception that he had to fight to get a suitable placement for his daughter:

Father: There was a report made by the psychologist, and report by social work, and there was another report about something else.

INT: OK, and you had a meeting in [council offices] about this?

Father: No, I spoke over the telephone a few times to all the different people, and they said they were going to put in a paper to see if she can get [a place in the special unit]. I had to fight for that, or she would never have got into the base. If I had just been a quiet

person that didn't know enough about the education system, to either moan or speak to the council or whatever the case might be, she would have never got into the base.

(Interview with father)

While Mr McDougall was critical of the local authority, it was evident that an advocacy worker had been assigned to work with him, helping him to understand the paperwork including the complex terms used in psychology reports. Extracts from research field notes suggest that the interview was difficult to conduct as Mr McDougall became aggravated when asked for clarification of specific points. He believed that he had been to tribunal, even though the circumstances he described would not have resulted in a reference being made and there were no records of this having taken place.

### *The Gibbs family: refusal to accept exclusion*

Mrs Susan Gibbs was a single parent, having separated from David's father when David was eight and his elder brothers were in their teens. She described her ethnicity as White/Scottish. Mrs Gibbs no longer worked, saying she had to quit when David was out of school. At the time of the research, David was 12 years old and had a diagnosis of significant learning difficulties. The rented family home was in a council estate, and had some new basic furniture which had been chosen to withstand David's frequent violent outbursts. Mrs Gibbs said that she had literacy difficulties and that an advocacy worker helped her with writing and spelling. She believed that she had grown in confidence as a result of battling to secure adequate educational provision for her son, and acknowledged that she would not have been able to do this without the support of the advocacy worker.

David's learning difficulties were identified in his first primary school, resulting in a Record of Needs (the statutory support plan replaced by the Co-ordinated Support Plan in 2004).

However, the support provided did not appear to be adequate, and teachers reported that he was

often aggressive. He was eventually excluded and, although another placement was found, his primary schooling became fragmented and disrupted. His mother was frequently asked to remove her son from school, and as a result he was typically receiving only two days of schooling per week. At that time, she described her attitude as 'sheepish', believing that there was nothing she could do to challenge his frequent informal exclusion:

I was very, very sheepish at that time, I didn't like causing trouble or anything like that. It was like OK then I will just take him home and things like that. And then it got to the stage that I didn't have a life, I would no sooner get home from putting him to school and they would phone within an hour saying take your child home. And I thought, it got to the stage that David would go in from 9 o'clock to 12 o'clock, they would take him half day and that was all the education he was getting ... (Interview with mother)

Mrs Gibbs wrote to the education authority expressing her concern, but no help appeared to be forthcoming and she felt that school and local authority staff were deliberately avoiding her because she was seen as 'awkward'. The relationship became increasingly confrontational:

We basically had no choice, we had to fight, and I mean to actually fight, threaten them. I ended up saying to [head of education], 'I tell you what mate, when I don't put my son to school, you can...take me to court' ... I says, 'I am going to end up taking you to court for not allowing my child to go to school' ... I met him a couple of times, but every time he heard my name, or mention my name, it was like 'Sorry I am not in'. And I could virtually hear him on the phone saying 'I am not here...' (Interview with mother).

Through word of mouth, she managed to make contact with an advocacy worker who helped her engage more effectively with the local authority by:

[Helping] me doing my writing of my letters and that because I am not very good at spelling and things like that. And she helps me, [they] come along to meetings and that with me ... (Interview with mother)

Mrs Gibbs was offered a place for David in 'a school for bad boys' and reacted by saying:

There is no way my child is a bad boy. Yes he has got problems but he is not a bad child, and I am not putting him across there to learn how to break into cars and things like that ...

With support from the advocacy worker, a Co-ordinated Support Plan was requested, but denied on the grounds that services such as health and social work were not providing significant additional support. However, Mrs Gibbs' request for adjudication was granted and a formal assessment of David's needs was conducted. A Co-ordinated Support Plan specifying the additional support to be provided by a range of external agencies was issued in the final year of David's primary education. The adjudicator highlighted the need for the local authority to find a suitable placement in time for David's transition to secondary education. His placement at the time of the research, in a secondary school with a special education unit, appeared to be working out well.

## *The McHarris family: Obsessive compulsive disorder and exclusion*

Mrs McHarris was 42 years old and a single parent with one child, Rory. At primary school, he was identified as having obsessive compulsive disorder (OCD), dyspraxia and dyslexia. The family lived in a private rented semi-detached house which appeared to be an ex council property. She is white/Scottish. At the time of the research she was self-employed and working part time, 'taking in ironing'. She explained that she needed to be at home and part time because Rory often missed school or was sent home because of 'bad behaviour'.

Problems began when Rory was in Primary 1, with the school denying there was a problem and describing Rory as 'lazy'. As a result of a private assessment, obsessive compulsive disorder and dyslexia were diagnosed. An assessment by an occupational therapist also suggested that he had dyspraxia. Mrs McHarris described Rory's growing distress at school, which manifested itself in a number of ways including compulsive hand washing. He also began self-harming, cutting his arms.

Mrs McHarris' relationship with the head-teacher became increasingly fraught, which she acknowledged was to do with the way they interacted: 'It's kind of me and her – it's a battle of wills I think'. She was particularly infuriated by the head teacher's assertion that the local authority did not see dyslexia as a problem and had no dyslexia policy:

I asked the head teacher about the dyslexia policy in the authority. 'Don't have one'. I said 'You don't?' 'No'. 'Are you sure about that?' 'Yes positive'. I said 'OK, that's fine'. And I came home and I phoned the council, 'Can you tell me, do you have a copy of your dyslexia policy'. 'Yes would you like me to send you one out?' I said 'Please, while you are on, do you have one from ten years ago as well?' 'Yes but it won't be an original, it would only be a photocopy I could send. Would that do?' I said 'Yeah fine'. The next day I went in and I about hit her round the face with it. I said 'you're a head teacher,

there's your council dyslexia policy'. I said 'not only is that for this year, there's one from ten years ago and very little in that has changed over the ten years and you told me it doesn't exist. The council don't regard dyslexia as a problem'. So that's what you are up against. And basically a lot of parents ... think a head teacher knows best.

Learning support was eventually provided by the school, and Mrs McHarris paid for a course known as 'Brain Gym' which claimed to improve children's cognitive and motor skills, behaviour and concentration. According to Mrs McHarris, this course represented a big step forward for Roy and was the point at which the improvement in his reading and self-confidence began.

Mrs McHarris did not believe that the school played any part in this improvement: 'it's him [Rory] that has improved, it's not the school.' She continued to feel angry with both the school and the local authority:

And then I was told that he would get some support. I was told he was getting ten hours support a week which was a complete and utter lie. It was a shared ten hours in the classroom per week. And that was between, I think there was about six pupils. So I had to force to get them to put in a separate budget at whatever, they have an annual thing where they apply for special budgets. And I had to force her to, to do that. I threatened one day ... I threatened them with newspapers, threatened them with everything. I phoned the Scottish Government. I phoned everybody in Scotland ...

Rory's secondary school placement appeared to be working well, with additional school-based support still in place. However, Mrs McHarris continued to mistrust educational

professionals, expressing frustration with their 'we know best' approach, which she felt disguised a rather callous attitude.

### *The Wilson family: Disagreement with local authority resolved through official routes*

Mr and Mrs Wilson were both Scottish and in their early thirties. They owned a semi-detached house in a small village on the edge of Seacity. Mrs Wilson was an occupational therapist and Mr Wilson described himself as a househusband. Both of their children were identified as having additional support needs. Their son, Paul, who was six years old at the time of the research, had a diagnosis of autistic spectrum disorder (ASD) and language difficulties. Their daughter, aged two, had Downs Syndrome.

A dispute with the local authority arose as a result of a placing request which was made at the point when Paul was about to start school. His parents wanted him to attend a language unit in a mainstream primary school, supported by the nursery staff and the educational psychologist. To their surprise, the request was refused and they were offered a place in a special school. They were frustrated at the lack of communication and the refusal to divulge the minutes of the decision-making meeting:

We couldn't get the information we wanted to from the Committee as to why they had chosen for Paul to go to [Special school], they just sent us all the reports, but they didn't send us the minutes of the meetings or anything ...

With the help of the educational psychologist, the parents wrote a supplementary report to the Local Authority Placement Assessment Group, giving their reasons for rejecting the decision



of a special school placement. They referred to the presumption of mainstreaming (Standards in Scotland's Schools etc. Act 2000) and Seacity Council's ASN policy document which states:

... most children with additional support needs benefit from having access to the full range of opportunities available in mainstream schools including contact with children with a wide range of abilities and needs.

Their frustration was further fuelled by the fact that in the local authority's letter, various bits of information were inaccurate, leading them to believe that their child had been confused with another. The Educational Psychologist did not agree with this assumption, but supported the parents' criticism that processes were unclear and information lacking.

I don't think [the decision] was anything to do with wrong details. I think on paper the PAG members thought that he was appropriate for the special school. I think they genuinely thought he was ... But I think that's absolutely right they didn't get clear information at all. They got a standard letter which said 'because, compared to the other children in those classes, he requires a more structured curriculum and would benefit less from opportunities for mainstream integration' (Educational Psychologist)

The educational psychologist stressed the importance of supporting parents throughout the process:

I steered them through a lot of things that they didn't understand because I know the system ... after they were offered [special school] I realised how confused the parents were about how the whole thing worked. And I thought I had explained it quite clearly (Educational Psychologist).

The parents had contacted the council's dispute resolution service, but formal mediation was unnecessary since they were offered a place in a language unit. However, despite her initial suspicion, an initial phone call with the mediator proved helpful:

The council suggested us going to mediation but I just felt at that point that mediation was just going to go be in the council building, was just going to help us see that we were getting it the wrong way round ... But we had to do something, so we arranged a meeting with the [mediator] and she was very good actually (Mrs Wilson).

Although the parents found the process difficult and stressful, they were able to maintain relationships with the relevant professionals. They understood how to use the various redress routes and were prepared to take their case to the tribunal if necessary. However, their ability to use arguments that the local authority recognised meant that their request was ultimately acceded to.

### *The Sawyer family: Ongoing monitoring of school practice*

Mr Sawyer was married with two sons, an eighteen year old and Harry, who was twelve years old at the time of the research. Mr Sawyer was Scottish and had an office job. The family home was a semi-detached new build in a small middle-class cul-de-sac on the edge of an area of socio-economic deprivation.

There were initial disagreements between Mr Sawyer and the primary school over dyslexia assessments. Problems began in primary school when a teacher suggested that Harry might have dyslexia.

He was having a lot of difficulty reading but after that point, I mean we just thought he's maybe not going to be very bright and we accepted that. But then we realised he had a problem with dyslexia, so we tried harder to get him some help and even just to know what to do ourselves ... (Interview with parent)

The father asked for an assessment of his son's learning difficulties, but was told by the primary head-teacher that this would take a long time to arrange. Mr Sawyer therefore initiated an assessment from his family doctor:

We actually pushed it further via the doctor, our own doctor, and they arranged for us to meet this person and they did an assessment and gave us a report (Interview with parent).

Mr Sawyer was also dissuaded by the head-teacher from pursuing an Individualised Educational Plan, which Mr Sawyer felt was to do with resource issues. As a result of the assessment arranged by the family doctor, Harry was given one to one support for reading and extra support in numeracy.

A further dispute arose following the transition to secondary school. His father was assured that details of Harry's dyslexia would be forwarded to all of his son's teachers and support would be in place, but was disappointed when this failed to materialise:

The primary school [teacher] said that when your child goes to secondary school, you'll find things are much improved there and the help you get, you won't believe what you get for him. ... We were told the information would be passed on to the secondary school and the assistance that was required would be provided within their departments (Interview with parent).

However, Mr Sawyer found that the majority of teachers were not informed about Harry's learning difficulty and regard him as 'cheeky' when he asked for help. A particular incident arose in a history class, where the subject teacher described Harry as 'too stupid for this class'.

Although the dispute with this subject teacher was resolved, Mr Sawyer believed that Harry's dyslexia was either not known about or not taken seriously by many other subject teachers. Mr Sawyer's way of dealing with this was to try and monitor classroom activity as closely as he could:

I go to more or less every parents' night and I go to every teacher to see if they realise that Harry is dyslexic and I would say at least 50% of the time, if not slightly more, they don't realise he's dyslexic. Now whether that's because they've not looked at the information available, or the information is not passed on, I don't know.

Despite his ongoing dissatisfaction, he believed that tolerating an unsatisfactory situation was the only feasible option:

I think it's a question of just putting up with it and just hoping that my son comes through school OK. As I say he's doing well in maths at the moment and it might change over the next few years as it gets more difficult but he's been doing really well in his classroom tests and he seems with it, and he gets on well with the teachers.

Overall, Mr Sawyer made great efforts to engage with education professionals and had generally succeeded in avoiding overt conflict. However, great effort was expended on monitoring classroom activities in order to ensure that promised services were delivered.

### *The Douglas family: the effective use of redress mechanisms*

At the time of the research, Mr and Mrs Douglas were in their mid-thirties. The family (a daughter aged nine, and John, aged eight) lived in a middle class suburban area of eastern Seacity in a semidetached house. Mr Douglas was a manager for a utilities provider, while Mrs Douglas did not work outside the home. Mr Douglas' father was a recently retired depute head teacher of a private school, and they were able to draw on a circle of 'professional' friends for information and support.

John was aged four when he was diagnosed with autistic spectrum disorder (ASD) and the dispute arose in the third year of primary school when he became a school refuser. John's teacher at the time appeared to dispute his diagnosis and implied that his problems arose through poor parenting. The situation deteriorated with John hardly attending school at all, so social work became involved:

We had social work come into my house and try and take him to school, because basically I think the school felt that I was keeping him off. You don't want your child home with you when they should be in school, you know but he just refused to go out. The social work thing, that was just horrendous because I was upstairs and John was screaming and my furniture was pushed all over the house, and eventually the social worker had to give up because it was too distressing for everybody involved (Interview with mother).

Mr and Mrs Douglas were angry that school was not supporting them in terms of providing work for John while at home, and by denying that there was any problem at school. The parents' relationships with the school deteriorated and it became increasingly difficult to get John to go to school at all:

At the end of P4 the situation was becoming more difficult with John off school for eight weeks ... then we went through months of me basically getting him through the school gates. I had to physically lift him, carry him into school. By the time we ended up in P4, beginning of P5 it just became horrendous, he was getting far too big to carry. And we were pinning him down in the office. But then when it came to trying to get him moved to another school, none of that happened (Interview with mother).

Their application for a Co-ordinated Support Plan was refused on the grounds that support from health did not count as 'significant', and at this point the parents decided to take their case to the tribunal. Just before the hearing a Co-ordinated Support Plan, and a place at a language

unit, were offered. The parents accepted the placement, but were very unhappy at the limited content of the Plan so requested a further hearing of the tribunal on the grounds that the Co-ordinated Support Plan was inadequate. Mr Douglas described the document as a 'joke' with very little detail of John's many difficulties, such as panic attacks, dietary issues, eye problems. Indeed the parental comment attached to the Plan listed seven points of dissatisfaction including incorrect home address; an inaccurate profile of John; and sparse information regarding his additional support needs. Another point of dissatisfaction was that the CSP only included one educational objective 'to improve John's ability to construct verbal sentences'. The tribunal found in the parents' favour and the local authority was instructed to issue a more detailed Co-ordinated Support Plan.

Throughout the complaints process, the parents were supported by a solicitor and they had legal representation at the tribunal hearing. They felt this was necessary because in their view, those working for the Council were more concerned in winning the case than finding a helpful resolution. This was particularly evident at the formal meetings:

What annoyed me was sitting in a meeting, and I sit in meetings every day of my life, but sitting in a meeting with people that sat round a table, you could see it was all stage managed, they had all had a 15 minute meeting before us and to me that's just not on. It was all stage managed ... (Interview with Father).

We were asked to go away at that meeting because we had got there at the same time as everyone else, but we got asked to go downstairs because they hadn't finished talking. Which I thought was incredibly rude as well (Interview with mother).

Ultimately, John was getting on well at the language unit where he was based. However, the parents did not feel that they had fully recovered from the struggle they had engaged in to get to that point:

We have been through so much, and it's like sometimes you forget how many things we have been through, and the letters of apology we have received. The letters when they come they are meaningless (Interview with mother).

## Summary and conclusion

This paper began by noting that references to social justice permeate Scottish education policy discourse, often underpinned by an assumption that expressing a commitment to a concept will ensure its delivery. The meaning of social justice is never clearly stated, nor the ways in which progress might be promoted and assessed. We suggest that there is a need for a more nuanced understanding of the concept, including the different types of social justice in play and their inter-relationship.

With regard to the **politics of redistribution**, it is evident that the educational outcomes of children with ASN are strongly associated with their social class background. Compared with their more affluent peers, children living in more deprived neighbourhoods are more likely to be identified as having ASN, but less likely to receive Co-ordinated Support Plans which provide some guarantee of additional resources. The family case studies illustrate some of the strategies adopted by more affluent parents to maximise the resources assigned to their children. For example, Mr and Mrs Douglas were able to pay for the services of a solicitor to argue their case at a tribunal hearing and Mr Sawyer was able to obtain a psychological assessment through the family doctor after this was refused by the school. Parents from less affluent backgrounds, such as



Mrs McHarris, were also willing to pay for additional support, in this case, a 'Brain Gym' course which has been criticised as a form of pseudo-science (Goldacre, 2011) as it has not been rigorously evaluated. Arguably, whilst all parents were invested in their children's educational success, middle class parents were able to use their material resources to lever additional school and local authority provision. Some efforts had been made to provide additional support to parents from poorer backgrounds, for example, in the two of the case studies parents were provided with advocates to help them argue their case. Whilst this support was useful, the level of support was inadequate to counter-balance the negative effects of material deprivation.

From a **politics of recognition** perspective parents continued to occupy the position of supplicant rather than equal party within the decision-making process, with the balance of power remaining with professionals (Riddell et al., 2010). This was evident, for example, in the disproportionate application of the most stigmatising labels, such as social, emotional and behavioural difficulties, to children in more deprived areas. Although Mrs Gibbs tried to resist her son being sent to a school for 'bad boys', many socially disadvantaged parents are powerless to resist the imposition of damaging labels.

All of the parents we interviewed expressed frustration at the barriers they faced in attempting to secure adequate provision. However, middle class parents benefitted from their ability to adopt the same cultural register as professionals and to deploy professional friends and associates to support their efforts. Their insistence on adequate support for their children, as illustrated by Mrs McHarris' experience, was liable to be interpreted as aggressive rather than assertive. Interviews with parents from poorer backgrounds suggested that they lacked the social and cultural capital to engage with professionals on equal terms, and their anger was often interpreted as aggression. As in the case of Mr McDougall and Mrs Gibbs, they frequently had difficulty reading formal letters and reports, reducing their ability to challenge effectively. By way

of contrast, Mr Douglas was able to draw on his workplace experience to recognise when he was being treated disrespectfully and to insist on more equal treatment.

In terms of the **politics of representation**, case study data illustrate the way in which the institutional architecture of Scottish schools and local authorities prioritises the voices of professionals, but provides very limited opportunities for the voices of parents to be heard. Apart from parent-led voluntary organisations which tend to be dominated by those from more advantaged backgrounds, there are very few opportunities for parents to influence debates and decision-making. In relation to individual children, reports are not routinely shared and decisions on resource allocation tend to be made behind closed doors. Although the rhetoric of partnership with parents has been in play since the 1970s, there is still scant evidence of its application in practice.

The case study data also underline the inter-connections of disadvantage in relation to distribution, recognition and representation. Parents from poorer backgrounds lack the economic and cultural resources to influence processes and outcomes, and also lack access to influential institutions and fora. Efforts to achieve greater justice in the distribution of resources to children with ASN must take account of the various types of justice and injustice discussed above, rather than focusing on one particular aspect in isolation from others.

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