

Supporting Implementation of Additional Support for Learning in Scotland

Ministerial Foreword

This is a significant moment for additional support learning in Scotland. Our ambition for additional support for learning provision has been ground breaking in its reach, we have established the frameworks that will underpin it and now, in this plan, we set out the specific actions that we will take over the next four years to support our ambition that every child has access to the additional support they need to reach their full potential.

This plan takes us to 2016 and is based on the agenda set out in Scottish Ministers' 2012 report to Parliament on implementation of the Additional Support for Learning Act. It also includes the actions that Ministers have committed to take forward as a result of the recommendations in 'The Right Help at the Right Time in the Right Place', Peter Doran's independent report on educational provision for children and young people with complex additional support needs.

Such a comprehensive and structured plan of activity sends a clear signal about the importance that I, and fellow ministers, place on this critical area of work. Implementing the plan will inevitably bring challenges, but my experience of the dedication and professionalism of those working in this field convinces me that we can, and will, deliver, together.

I will report on progress against the plan in the Additional Support for Learning annual report to parliament, due in February each year. In doing so I will draw on the advice and support of the Advisory Group on Additional Support for Learning which represent interests from across the professions and organisations that will be involved in delivering the plan.

Finally, whilst this document sets out a substantial plan of work over the coming period, it is important we recognise the positive base from which we start. That results from both the inclusiveness of our approach to additional support for learning in Scotland and the quality and commitment of the workforce. Now we have the opportunity to build on that and to deliver even better outcomes for all our children and young people.



Dr Alasdair Allan
Minister for Learning, Science & Scotland's Languages

Introduction

Background

The amendment of the Additional Support for Learning Act in 2009 introduced duties on Scottish Ministers to report to Parliament on the action taken to ensure sufficient information is available to monitor the implementation of the Act. Scottish Ministers are also placed under duties to collect and publish statistics on:

- the number of children and young persons for whose school education the authority are responsible having additional support needs,
- the principal factors giving rise to the additional support needs of those children and young persons,
- the types of support provided to those children and young persons, and
- the cost of providing that support.

In February 2012 Scottish Ministers provided a [report to Parliament](#) which fulfilled these duties, but went significantly beyond the duties to comment on how well learner's needs were being met, but also where it was felt that implementation could be improved. In addition, the development of the report enabled key stakeholders to highlight areas where it was felt that there were barriers to successful implementation. This led to the agreement that a plan of support for implementation, over a significant period of years, should be developed.

Purpose

The report to Parliament on additional support for learning indicated that in most schools in Scotland the needs of most children and young people were being met well, with some major strengths. Whilst this is very positive the report also acknowledged that additional support for some groups of children and young people could be improved. It is important that to recognise that this plan of support for implementation has been developed in the spirit of continuous improvement, and therefore addresses a broad range of issues affecting implementation of the legislation.

How does this plan work?

The aim of this long-term plan of support is that it will evolve as the implementation of the legislation evolves over the coming four years. This first iteration of the plan sets out the areas which were identified in the report to Parliament and by stakeholders as areas for improvement. These have been arranged in themes. Each section of the report will deal with a themed area, and will set out the improvement that is sought, and the action which is sought to be delivered to achieve that improvement. In many cases these will be delivered in partnership with others, some are achievable immediately others are more ambitious and will take time to achieve. In some cases, work will have already been undertaken on specific areas, this will be highlighted also.

Themes

The long-term plan of support for implementation initially addresses four broad areas. These are;

- the support available for particular groups of children or young people and areas for further support in implementation,
- building capacity in staff to provide support,
- information, and
- law and guidance.

The plan will develop and grow over the four year period that it relates to. As the landscape for additional support for learning changes, which it certainly will, it will need to adapt, to reflect those changes, and new or different areas for implementation will be included.

Support for particular groups of children or young people and areas for further support in implementation

Support for particular groups of children and young people

As indicated earlier, the report to Parliament indicated that provision of additional support for some children and young people with additional support needs could be improved. These include; young carers, those in transition, looked after children and young people, and those with mental health difficulties.

Young Carers

Evidence provided in the report to Parliament suggested that effective practice in identifying the needs of young carers was developing slowly and that the key issue affecting progress is encouraging young people to share that they are providing care to another member of their family.

Within additional support for learning legislation it is education authorities duty to identify the additional support needs of children and young people. In addition to encouraging young carers to share their responsibilities, those in schools may be alerted that a child or young person is caring for someone through indicators. These include, changes in attendance or reduced attendance and lateness, the child or young person presenting as tired.

Suggested action:

- Within the context of [Getting it Right for Young Carers](#), the young carers strategy for 2010-2015, the Scottish Government will establish good practice in supporting young carers to share their caring responsibilities with school staff and share these models through case studies highlighting achievements, lessons learned and key factors in implementation to enable others to establish practice.
- We will highlight the guidance for schools in supporting young carers to help those working in schools to effectively support children and young people who share that they are carers or are identified as such.
- The guidance above will be drawn together with other resources to help those working in and with schools to access quality advice, information and resources on children and young people's additional support needs.
- The theme of the report to Parliament 2013 will be supporting young carers. This will serve to highlight the provision of support to young carers as part of implementation of additional support for learning.

Transition

The report to Parliament presented information from an exercise in 2009-11 which examined strategy and practice in local authorities and key partner organisations in supporting effective school to post-school transitional planning for children and young people with additional support needs. This concluded that there is a mixed picture of transitional planning post-16, some success in integration of legislation and policy into guidance and procedure; generally staged intervention models were used. Partnership working varied in its effectiveness, monitoring and tracking through transition was variable, many examples of effective practice in transition however these tended to be isolated rather than strategic.

In addition to these findings, transitions generally are raised by stakeholders as an area for improvement. These include transition into school from the early years, between primary and secondary school, and in relation to any change in school.

Suggested action:

- In 2011-12 a range of [sharing practice events](#) were held to promote good practice in post school transitions for children and young people.
- Highlight the wide range of examples of transition planning case studies and resources available from Education Scotland.
- Create a brief of roles and responsibilities in transition planning within additional support for learning, across the stages of learning, linked to information by Enquire on transition planning for parents and information on transitions in curriculum for excellence.
- Signpost examples of good practice in transition planning centrally alongside other advice, information and resources on additional support for learning.
- The Scottish Government will create a practice framework for practitioners working across the range of additional support needs to help them to better support young people to progress from school to further learning, training or employment – in 2012-13.
- Through the Scottish Consortium for Learning Disability, the Scottish Government will continue to support development and delivery of Project Search, an employability programme for young people with complex learning disabilities – in 2012-13.
- The Scottish Government will consider the evaluation of The Coalyard in South Lanarkshire, to assess the feasibility of this employability model, including the social return on investment, and possible extension of the model to other areas – in 2012-13.
- In 2012-13, through the £3M Third Sector and Social Enterprise Challenge Fund, the Scottish Government will support 24 different initiatives aiming to improve the employability of more than 2000 young people across Scotland.
- Skills Development Scotland is further developing the content of My World of Work, its web service. This will provide more opportunities for young people with additional support needs to develop their career management skills as well as supporting parents and partner organisations to help develop the career management skills of young people at transitions points.
- Skills Development Scotland through the modernising of its Careers Information, Advice and Guidance Services will offer targeted face to face support to those young people at risk of not making a successful transition from school.
- The 2014 report to Parliament will focus on the implementation of additional support for learning in relation to transitions.

Looked After Children and Young People

In both mainstream and residential special schools, there is still much work to be done to ensure that barriers to learning for looked after children are removed or minimised, as far as possible, and that children are engaged in relevant, enjoyable and stimulating learning experiences. It continues to be the case that those children who are Looked After at Home continue to have less positive learning outcomes than other children and young people. Staff in establishments are not always sufficiently alert to the multiple barriers to learning

that children who are looked after, either away from home or at home, may be experiencing.

The learning outcomes for looked after children and young people have also been the subject of a Parliamentary Inquiry launched in 2011, from which a range of recommendations are made.

Suggested action: (these all need timescales and partners identified)

- Ensure the We Can and Must Do Better training materials are centrally available alongside other additional support for learning advice, information and resources
- Create a brief for those working in and with schools about looked after children and young people – including a glossary of terms.
- Link into the work of the LACSIG Learning Hub going forward to support implementation, using networks appropriately, taking account of findings from research project.
- Supporting employers to recruit care leavers to the Modern Apprenticeship programme through £1.5m investment in the 3 years from 2012-13 from the Scottish Government.
- The 2015 report to Parliament will focus on the implementation of additional support for learning in relation to look after children and young people.

Children and Young People with Mental Health Difficulties

Across mainstream and special schools, the needs of children and young people with significant mental health difficulties are not always being met effectively. Authorities and schools reported that the lack of clear working definitions for mental health difficulties is a major factor holding back progress in this area. Schools can also be unclear about which services are available to them to access support for those with mental health difficulties.

Suggested action:

- Link into the work to support Towards a Mentally Flourishing Scotland
- Highlight emotional health and wellbeing as part of implementation of health and well being in Curriculum for Excellence.
- Continued promotion of approaches to promoting positive relationships in schools.
- Information on how to refer children and young people, how to access CAMHS.
- Harnessing of resources to support understanding of mental health difficulties.
- The 2016 report to Parliament will focus on the implementation of additional support for learning in relation to children and young people with mental health difficulties.

Areas for further support in implementation

The Advisory Group for Additional Support for Learning (See Annex A) identified eight areas related to additional support for learning which they would consider over a two year period. These areas relate to implementation, emerging contextual issues which may affect implementation, and areas of implementation which need additional focus in implementation. They are:

- National Definition of Additional Support
- CSP & GIRFEC Child Plan

- Early Years
- Revise Code of Practice
- Accountability for NHS & Social Work
- Post 16 Transitions
- Reporting on outcomes
- Reporting on the Impact of Provision

National Definition of Additional Support

A subgroup of the Advisory Group considered the current definition of additional support needs, as it was felt to be unhelpful and unclear. The subgroup concluded that the definition as it stood was the best it could be. However it was recommended that consideration be given to setting out what support might 'usually' be provided in order to establish that which is 'additional'.

Suggested action:

- That this should be considered as part of the consideration of the code of practice and that any need for additional guidance on support which is usually or routinely provided be developed in addition to the code of practice or included as necessary.

Additional Support for Learning and Children's Services planning

A subgroup of the Advisory Group considered options for the implementation of additional support for learning and its links with children's services. The subgroup made recommendations that guidance on children's services should take account of additional support for learning and vice versa, that arrangements for planning, should include enabling the co-ordinated support plan to be part of the child's plan, including relaxing the co-ordinated support plan regulations to enable the format of the CSP to be amended to be integrated into child's planning mechanisms.

Suggested action:

- That the Scottish Government consider the implications of children's services legislation and ensure an appropriate fit for legislation, particularly in relation to planning.
- That the Scottish Government produces guidance on additional support for learning and children's services legislative provisions as they develop. This should include the code of practice revision.

Additional Support for Learning and Early Years

A subgroup of the Advisory Group considered the implementation of additional support for learning in the early years and made a number of recommendations, particularly focussed to the revision of the code of practice to improve focus and practice in relation to the identification of additional support needs in the early years, and take action to improve provision and monitoring.

Suggested action:

- To take account of the suggested recommendations of the early years sub-group in the work of the revision of the code of practice on additional support for learning.
- Ensure that the early years are appropriately recognised in additional support for learning policy development and implementation, including the report to Parliament.

Revise Code of Practice

A subgroup will be established in October 2012 to consider a revision of the code of practice which supports the implementation of additional support for learning. The group will consider a range of concerns that have arisen around the appropriateness of the guidance. The revision of the Code of Practice will take account of the Children and Young People's Bill and therefore the timescale for consultation on a new draft code will be no earlier than 2014 with publication after this.

Suggested action:

- The style and presentation of the code of practice should be considered
- The effectiveness of the code in providing guidance will be considered
- The definition of additional support needs and associated advice will be considered
- The extent of guidance on the early years and transitions planning will be considered
- Children and Young People's Bill will be taken account of
- Further consideration to case studies/exemplars and the need for non-statutory guidance on specific issues will be considered.

Accountability for NHS & Social Work

A subgroup will be convened to consider the accountability of 'other agencies' within Additional Support for Learning legislation. Duties are placed on education authorities with other duties to help placed on 'other agencies' (Health, Social Work Services, Skills Development Scotland). The issue of accountability comes sharply into focus particularly in relation to resolving disagreements, where the powers/decisions apply to the education authorities not to other agencies and this is felt to be inequitable.

Suggested action:

- That this issue is considered by a subgroup with recommendations to be made on the way forward within the remit of AGASL.
- That the opportunity offered by Children and Young People's Bill are considered.

Post 16 Transitions

There has been long-standing concern expressed by stakeholders about the effectiveness of transitions across the additional support for learning framework, but particularly in relation to post-school where there is also generally a transition from children's to adults services in relation to health and social care. There have been longstanding concerns regarding being able to identify appropriate partners.

Suggested action:

- A subgroup of AGASL will be established to consider issue impacting on young people's progress from school to post school and ongoing participation within the post-16 system; and to make recommendations for action – both strategic and operational - required to improve local service delivery

Reporting on outcomes

There has been concern that the duties to publish statistical information focus on inputs rather than outcomes. This will be dealt with by a subgroup of AGASL in due course. However, as preparation for that, it would be useful for a subgroup to consider how information on outcomes could be collected and reported.

Suggested action:

- A subgroup of AGASL should consider how best this information may be collected and presented.
- This should be linked to the range of stakeholder networks that could provide advice and information on the extent to which this is already being carried out, and the way in which this is best achieved.
- The information gathered should be provided to the AGASL Subgroup which will consider Reporting on the Impact of Provision.

Reporting on the Impact of Provision

Since the 2009 amendment to the Additional Support for Learning Act which introduced duties on Scottish Ministers to publish national statistics on additional support for learning and the decision to provide a broad report to Parliament on the statistics there has been considerable focus on statistical information and reporting on outcomes. The duties on Scottish Ministers are focussed on inputs and therefore the reporting requires to be structured in this way, there is an opportunity to consider the information that is available which indicates outcome measures.

Suggested action:

- A subgroup considers the issue of reporting on outcomes for children and young people with additional support needs.
- This group should link to the group considering the future of statistical collections on additional support for learning to prevent duplication
- The group should consider the work undertaken on outcomes for children and young people within Getting it Right for Every Child.
- The group considers how this might be achieved within the parameters of the concordat with local government, specifically the agreement to reduce bureaucracy particularly in relation to monitoring and reporting by central government of local government.

Children who are unable to attend school due to ill health

In 2001 the Scottish Government published guidance on children who are unable to attend school due to ill health. A number of concerns have been raised over time regarding the guidance and the implementation of the duty that it supports. In 2011, following representations from CoSLA and a petition in the Scottish Parliament laid by Action for Sick Children Scotland it was agreed that the guidance should be reviewed. In January 2012 the scope for the review was established and in March 2012 a stakeholder group was formed and considered the priorities for the review process.

Suggested action:

- That guidance is produced to support implementation of the duty to provide alternative education for those who are unable to attend school due to ill health, taking account of the range of issues highlighted in the scope of the review.

Parental Involvement

There have been concerns raised that parents find the additional support for learning legislation challenging to navigate and that it's difficult to find advice and support. Recent research funded by the ESRC and carried out by the Centre for Research in Education, Inclusion and Diversity made a series of recommendations for the improvement of communication between parents and practitioners in relation to additional support for learning.

The code of practice provides advice on communicating with children and young people with additional support needs and good practice advice in communicating with families of those with additional support needs. In addition, Enquire provide a range of advice and resources to support positive communication.

However, there remains concern that parents are unable to access support, advice and information when they require it to access and navigate the system.

Suggested action:

- Work with National Parents Forum Scotland ASN Group to consider how best to address concerns about communication.
- Consider with Enquire whether further action is required to promote advice and information services and whether other local services are available.
- Consider whether guidance is required on advice and information duties in the Additional Support for Learning Act.

Capacity and Training

Stakeholders have expressed concerns that over the coming years, due a significant number of experienced staff leaving the education system, there will be a significant loss of experience, knowledge and skills in supporting children and young people with additional support needs. At the same time there is national programme going forward as part of Teaching Scotland's Future which will provide the future framework for Initial Teacher Education and Continuing Professional Development. In relation to additional support needs the premise is that Initial Teacher Education should provide a broad knowledge of the additional support for learning framework and the roles and responsibilities within it, but the detailed knowledge and support in specific circumstances that may lead to a child or young person having an additional support need should come within continuing professional development.

In recognition of the fact that children and young people's additional support needs arise from a vast range of circumstances and therefore across their career a teacher or member of support staff will be required to deal with a range of differing needs and circumstances. Therefore there is a need for a sustained approach to supporting those working with children and young people to have access to quality advice, information, training and resources.

- Work with Skills Development Scotland to support young people and teachers in relation to post school transitions and development of their career management skills.
- Work with Education Scotland to continue to ensure that a broad range of resources on additional support for learning is available to support continued professional development.
- Linking the resources above to the online communities of practice within Education Scotland's online resources.
- Support sharing of good practice in partnership with Education Scotland through national, regional and local opportunities and linking to appropriate professional networks.

Doran Review

The Doran Review Report makes 21 recommendations for the future provision made for children and young people with complex additional support needs. The Review Report and the Scottish Government's response is available from <http://www.scotland.gov.uk/About/Review/DoranReview>

This long term plan of support will deliver a number of actions which will at the same time deliver the response to the Doran Review recommendations. The Scottish Government's Response to the Doran Review sets these out in detail. However, these actions are summarised here for ease.

The Advisory Group for Additional Support for Learning will consider the revision of the code of practice for additional support for learning. This will support delivery of a number of recommendations, including 1,4,13,14,15,16.

The Advisory Group for Additional Support for Learning will consider transitional arrangements, including the post-school transition, and this will support the delivery of recommendation 11.

The Advisory Group for Additional Support for Learning will consider and make recommendations for the collection of national data on additional support for learning and the reporting on outcomes for children and young people with additional support needs. This will include children and young people with complex additional support needs and will support the delivery of recommendations 12 and 18.

Information

Statistical Information

During the preparation of the report to Parliament and the publication of statistical information it emerged that some education authorities did not recognise the information about additional support for learning in their authority area. Whilst overall the statistical information collected is improving, further work is required to ensure that statistical information collected and published reflects the additional support for learning framework, is accurate, but also useful to those implementing additional support for learning.

In addition, the duties on Scottish Ministers to collect and publish information on the cost of provision of additional support, relies on the publication of information which is not routinely collected or available as part of statistics collections. This means that information collection is required to be negotiated annually, and guidance on information to be provided is required. A more routine method of collecting this information is required.

Suggested action:

- A sub-group of the Advisory Group for Additional Support for Learning should convene to consider what information should be collected and its use strategically and operationally to support implementation, and to meet Scottish Ministers duties to collect and publish certain statistics.
- The sub-group should also consider how information on the impact of support on children and young people's outcomes should be collected and published, balancing the burden of collection with the use of the information collected.
- Following the recommendations of the sub-group the Scottish Government should take action to amend the statistical collection and to ensure appropriate guidance is provided to those recording information.
- The Scottish Government should take action to include the cost of additional support provision within an appropriate statistical collection.

Measuring children and young people's outcomes

Our aim for all children and young people is that they are engaged and achieving in their learning. In 2012, for the first time, information on the qualifications achieved by pupils with additional support needs and information on their positive destinations was published. This enables consideration and understanding of the achievements of children and young people with additional support needs, and areas for further consideration. In addition, information on the attendance and exclusion of children and young people with additional support needs indicates levels of engagement in learning.

Suggested action:

- The sub-group above should also consider how information on the impact of support on children and young people's outcomes should be collected and published, balancing the burden of collection with the use of the information collected. The adequacy of the information already being collected and the data processing which enables the necessary data matching should be considered.
- As the Scottish Government moves from measuring 'positive and sustained destinations' to measuring a young person's ongoing post-16 'participation' in education, training or employment, Skills Development Scotland will continue to work with relevant partners to develop the 16+ Learning Choices Data Hub. As a result of

this, information on young people can be shared and used by relevant partners. This will improve the ability of local partners to support young people appropriately.

Law and guidance

Legislation

The Additional Support for Learning legislation was amended in 2009 to introduce new duties and rights which have been in force since 2010. During the passage of the legislation Ministers committed to considering whether children should have rights on their own behalf in relation to additional support for learning – rights are currently invested in parents and young people (aged 16 and over with capacity). Scottish Ministers have further committed to consult on whether children (presumed to be age 12 and with capacity) should have rights of appeal, or full rights. This consultation is intended to go ahead towards the end of 2012 with any changes to legislation coming some time after. There are no other significant changes to the Additional Support for Learning legislation proposed.

The passage of the Children and Young People's Bill through the Scottish Parliament, and the Child's Plan may mean that the Scottish Government makes minor amendments to the Co-ordinated Support Plan Regulations if amendments are required to enable the Co-ordinated Support Plan to be part of the Child's Plan. It is our intention that wherever possible the Additional Support for Learning legislation and the children's services legislation will be mutually complementary.

Suggested action:

- A consultation on extending rights to children in additional support for learning will be carried out, and consequently legislation brought forward to further amend the Act.
- As part of ensuring an effective fit between Additional Support for Learning legislation and Children's Services legislation, consideration will be given to amending Regulations as appropriate.

Code of Practice

Guidance to practitioners on the additional support for learning legislation is provided through a statutory code of practice. Education authorities are required by law to take account of the code of practice in implementing additional support for learning. There have been concerns expressed that the code of practice does not sufficiently guide practitioners in implementing additional support for learning. In addition, it has been suggested that the Code of Practice should be amended to take further account of the Children and Young People's Bill and its provisions.

- That a sub-group of the Advisory Group on Additional Support for Learning considers what revisions are required to improve the Code of Practice on Additional Support for Learning, and takes account of the provisions of the Children and Young People's Bill.

Conclusion

There is much to be proud of about the way in which children and young people are supported in their learning in Scotland. However, we cannot become complacent. The long term plan of support sets out the actions which can be taken to improve implementation of additional support for learning, in the spirit of continuous improvement.

We are working towards a challenging ambition, that all children and young people should receive the support that they need to make the most of their learning opportunities, and realise their full potential, and we will continue to do so.

Annex A

Advisory Group for Additional Support for Learning - role, remit and membership

Role and Remit

Role

The Group will formally advise the Scottish Government and Scottish Ministers of issues relating to the implementation of the Additional Support for Learning legislation. This may relate to policy and practice development and may include issues which impact on the successful implementation of Additional Support for Learning.

The Group will be Chaired by a member of the group nominated by the Advisory Group Membership. The secretariat will be provided by the Scottish Government.

Remit

The group will make recommendations on key actions to support the continuing implementation of Additional Support for Learning.

Membership

Iain Nisbet	Govan Law Centre (Chair)
John Butcher	Association of Directors of Education Scotland
Sally Cavers	Enquire
Jane Clifford	Education Scotland
John Dalziel	Skills Development Scotland
Andrew Facherty	Association of Directors of Education Scotland
Carolyn Finlayson	Enquire
Billy Gibson	National Parent Forum of Scotland
Jackie Gilchrist	Unison
Louise Gough	National Parents Forum for Scotland
Venetia Haynes	Education Analytical Services, Scottish Government
Neil MacLennan	Higher Education and Learner Support, Scottish Government
Stephen McCrossan	Educational Institute for Scotland
Laura Meikle	Support and Wellbeing Unit, Scottish Government
Sandra Mitchell	ASL: Resolve
Joe Morrow	Additional Support Needs Tribunals for Scotland
Robert Nicol	COSLA
Shirley Paterson	Association of Principal Educational Psychologists
Pat Preece	Association for Directors of Social Work
Jane Reid	Allied Health Professionals
William Rutherglen	For Scotland's Disabled Children
Jan Savage	National Deaf Children's Society
Jonathan Sher	Children in Scotland
Colin Spivey	Support and Wellbeing Unit, Scottish Government
Mag Stewart	Association of Heads and Deputes Scotland
Stefan Stoyanov	Scottish Commissioner for Children and Young People
Ross Trotter	Support and Wellbeing Unit, Scottish Government
Martin Vallely	Association of Directors of Education Scotland
Dorothy Warren	Support and Wellbeing Unit, Scottish Government
David Watt	Education Scotland
Rosie Whelan	Youth Transitions Team, Scottish Government
Rosie Wilson	Association of Support for Learning Officers



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ISBN: 978-1-78045-965-3 (web only)

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

Produced for the Scottish Government by APS Group Scotland
DPPAS13211 (11/12)

Published by the Scottish Government, November 2012

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