
ADDITIONAL SUPPORT NEEDS REVIEW UPDATE

1.0 EXECUTIVE SUMMARY

As a result of the Council decision at its meeting of 22 October 2015 to consider the issue of additional support needs services early within the Service Choices process to avoid a lengthy period of uncertainty for parents, this paper provides an update to elected members of the progress of the operational review of Additional Support Needs (ASN) provision by Education Services.

The Community Services Committee in March 2015 endorsed the approach of the Education Service in undertaking a wide ranging review of additional support needs (ASN) services with a progress report being considered at its meeting in June 2015.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Council:

- a) Note the ongoing operational review of ASN provision by the Education Service, Community Services
- b) Note the progress reached by the operational review group and the impact of that work in relation to achieving an equitable distribution of support and delivering service efficiencies
- c) Agree to link these operational efficiencies to the Service Choices programme from the start of academic year 2016-17 as outlined in section 5.5.3 resulting in a part year saving of £175,000 (full year equivalent of £280,000).
- d) Note that further updates on the progress of the ASN Review Group will be reported to the Community Services Committee.
- e) Consider whether the option of reducing ASN assistant support by 45% should be removed from the current service choices consultation programme.

ADDITIONAL SUPPORT NEEDS REVIEW UPDATE

3.0 INTRODUCTION**3.1 Aim of Review**

The Community Services Committee in March 2015 endorsed the approach of the Education Service in undertaking a wide ranging review of additional support needs (ASN) services with a progress report being considered at its meeting in June 2015. The review of key aspects of ASN provision, aims to ensure that a service is in place which effectively and efficiently meets the needs of all learners through an equitable use of resources and based on a clear link with a learner's assessed needs. In so doing, the service to support children with additional support needs must meet the requirements of the relevant legislation and ensure equity of provision and resources across the Argyll and Bute authority area. Whilst not the key driver of the review, the Review Group has been mindful of the reducing financial situation faced by the council and this has focussed attention on ensuring that available resources are allocated consistently and that operational efficiencies are identified through the ASN process.

The Council decision at its meeting of 22 October 2015 agreed to consider the issue of additional support needs services early within the Service Choices process to avoid a lengthy period of uncertainty for parents. The Council is aware of significant public interest in the decisions taken around ASN services and this report updates progress in the light of this interest. The recommendations arising from this report are intended to provide assurance to parents of children with ASN and the wider public.

- 3.2 The Children and Young People (Scotland) Act 2014 is the most recent legislation impacting on services directing at meeting additional support needs. Guidance is emerging at present and will require to be considered alongside the legislative context described above. Amongst other things, this legislation places specific duties on head teachers who act as Named Persons and who have a key role in supporting children with additional support needs.

3.3 Legislative Framework

The Council has a responsibility to discharge its obligations in relation to education legislation, as prescribed in both the Standards in Scotland's Schools etc. Act and the Additional Support for Learning Act and in doing so seek to do this to a high standard. The Education (Additional Support for

Learning) (Scotland) Act 2004 places duties on local authorities, and other agencies, to provide additional support where needed to enable any child or young person to benefit from education.

- 3.4 All staff within the Education Service have a responsibility to meet additional support needs. A child or young person with additional support needs is defined under the terms of the Education (Additional Support for Learning) (Scotland) Act 2009 as follows:

A child or young person has additional support needs for the purposes of this Act where, for whatever reason, the child or young person is, or is likely to be, unable without the provision of additional support to benefit from school education provided or to be provided for the child or young person.

- 3.5 The 2009 Education (Additional Support for Learning) Act's reference to school education links both the 1980 Education (Scotland) Act and the Standards in Scotland's Schools etc. Act 2000. The 2000 Act requires the education authority to ensure that school education is directed to the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential. The 2000 Act established, and the 2004 Act built upon, a 'presumption of mainstream', that is, a presumption in favour of providing mainstream education for all children.

- 3.6 In meeting additional support needs, all professionals should also be aware of the provisions within The Equality Act 2010.

3.7 Delivery of ASN in Argyll and Bute

There is a high level of inclusion within Argyll and Bute with children and young people with a wide range of complex and challenging needs effectively supported within their local schools. At January 2011, only 47 children and young people from Argyll and Bute were educated in specialist day and residential placements out with the authority. Since that time this number has been further reduced by 50% with approximately 23 children and young people placed in external specialist resources at the present time. Given that a specialist placement can cost upwards of £250,000 per placement, the mainstream inclusion of pupils with high end complex needs is not only beneficial for the pupil and their family but also financially efficient. This number has remained relatively stable over the last 18 months. It should be noted however that there will always be a need for a level of specialist residential placements outwith the authority given the very complex needs for some pupils.

- 3.8 As at the start of academic year 2015/16, a total of 1,931 pupils in Argyll and Bute had been identified as having an additional support need equating to 18.4% of pupils, slightly below the national average. These figures may change on a daily basis. Of that number, 940 had a need for Universal Child's Plan (incorporating around 57 with a coordinated support plan - CSP) reflecting their level of needs and around 570 of that number has an identified need for a level of ASN assistant support. These figures illustrate that not all

pupils with an additional support need require a support plan with their needs being met by teaching staff in the classroom through strategies such as differentiation in learning and teaching strategies. Equally not all pupils with a Universal Child's Plan has a need for ASN assistant support which reflects an appropriate staged intervention approach.

- 3.9 Until June 2010, centrally funded support teachers were organised in Area Network Support Teams (ANST) and were line managed by Area Principal Teachers. Following the review of ANST arrangements, these teams were discontinued and the support teachers came under the line management of Head Teachers. This arrangement can hinder flexibility of deployment particularly in the primary sector and is a further area that is being carefully considered by the Review Group.
- 3.10 To ensure the success of the inclusive approach to meeting needs, significant resources are targeted directly to schools where staff work together to employ creative and flexible approaches to meeting needs. Parklands School in Helensburgh is the only free standing special educational needs school within the authority.
- 3.11 The Review Group established that the policy framework for meeting additional support needs in Argyll and Bute had not kept pace with the developing legislative framework. Much of current policy was needing to be reviewed and revised ensuring there is a common understanding of certain key elements of practice such as staged intervention. Therefore one critical aspect of the ASN review was to agree areas of future policy development to allow current and future Education Service ASN policy framework to be fit for purpose.
- 3.12 The review of key aspects of ASN provision aimed to ensure that a service is in place which effectively and efficiently meets the needs of all learners in a time of severe financial constraint and do so in a fair and equitable way. The Council has a responsibility to discharge its obligations in relation to the relevant education legislation as outlined above and in doing so seek to do this to a high standard across the Argyll and Bute authority area.

4.0 RECOMMENDATIONS

- 4.1 It is recommended that the Council:
- a) Note the ongoing operational review of ASN provision by the Education Service, Community Services
 - b) Note the progress reached by the operational review group and the impact of that work in relation to achieving an equitable distribution of support and delivering service efficiencies
 - c) Agree to link these operational efficiencies to the Service Choices programme from the start of academic year 2016-17 as outlined in section 5.5.3 resulting in a part year saving of £175,000 (full year equivalent of £280,000).

- d) Note that further updates on the progress of the ASN Review Group will be reported to the Community Services Committee.
- e) Consider whether the option of reducing ASN assistant support by 45% should be removed from the current service choices consultation programme.

5.0 DETAIL

5.1 Commencement of the Operational Review of ASN Services

An initial review of provision of additional support needs was held on 5th and 6th February 2015 with a recall day was on 26th March. The review days considered both the areas of policy/practice and budget with the aim of rationalising the ASN policy and practice framework which meets the demands of current legislative and national policy requirements and ensures the continued provision of the most effective and efficient service within the Council's budget requirements.

5.2 Establishment of the Operational Review Group

An Operational Review Group was established to take forward this work and comprised a representative sample of teaching staff from all sectors and areas across the authority area, Education Service central team and the Educational Psychology Service. In addition there is representation from teaching and non-teaching trades unions and from Social Work. Representatives from Strategic Finance and Human Resources provide appropriate information and advice as and when required

5.3 Focus for the Review

The Review Group focus has been to specifically examine the current model of provision and options in the following five areas;

- cover costs for central funded support teachers and ASN assistants;
- allocation process for ASN assistants;
- area Principal Teachers;
- Learning Centres, and
- Residential and Day placements

5.4 Review Group Findings

The Review Group in examining the operational procedures identified the following findings:

- The allocation process for ASN assistant staff was overly bureaucratic and did not always capture the appropriate level of allocation required by individual establishments to meet identified pupil needs. Therefore it was considered necessary to revise the method of allocation and insert an increased level of support and challenge into the process which focusses specifically on individual need.

- There was a lack of clarity over the availability of cover for peripatetic support teachers. In addition there was a considerable overspend on the limited supply cover budget. For these reasons there was a need to urgently revise cover arrangements for support staff and more specific criteria for accessing cover for long-term absence prior to the start of academic year 2015-16.
- Area Principal Teachers (APTs) have an overview of additional support needs within each area. The Review Group proposed a restructuring of the team to align with the Area Education Officers with this development being reported to the Community Services Committee in June 2015. Area Principal Teachers and Education Officers will provide complimentary support.
- Following the development of a revised overarching staged intervention procedures, future service development priorities for session 2015-16 should focus on Looked After Children and Learning Centres. In session 2016-17 the Review Group will consider supports for Interrupted Learners (e.g. pupils whose learning has been affected by a period of illness, relocation, exclusion or other disruption to their education).

5.5 Review Group Progress

5.5.1 Development of Staged Intervention Procedures

Two working groups, on staged intervention and more able pupils, were convened in June 2015. Staged intervention is at the core of how the Education Service responds to need. With the need for a clear and explicit framework to ensure effective and consistent intervention to meet those needs. Additionally, there has been no consistent position in relation to more able pupils. It was therefore considered necessary to develop within the framework a clear position and procedures to outline support provision for pupils who are considered to be 'more able'.

A draft framework has been completed on schedule and it will be issued out in draft to all schools and parent councils for consultation during November/ December 2015, with the intention of being operationally adopted in January 2016. The framework sets out the staged intervention approach and firmly re-established the link between pupil need and the allocation of support (resources and other forms of support).

5.5.2 Revised Procedures for ASN Assistant Allocation

The Review Group reflected on the previous inequities in the allocation of ASN Assistant hours and the clear concerns about the bureaucracy of the process in producing revised procedures for early years establishments and schools. New streamlined procedures that did away with a lot of the bureaucratic demands whilst ensuring consistency of approach were introduced at the start of academic year 2015-16. These have the following features:

- Clear criteria for eligibility (e.g. relating to children who are assessed as requiring an elaborated or highly individualised curriculum, those with a

significant level of challenging behaviour, those with assessed medical needs, etc)

- All children receiving ASN Assistant support must have an up to date Universal Child's Plan
- Support may be temporary or on a reducing basis as the child's needs change over time – all changes would be discussed with parents or carers.
- All support will be the subject of scrutiny considering aspects of the child's plan, curriculum plans, ASN Assistant timetable and management arrangements. Initially this will be at head teacher/ APT level and a panel comprising the Education Manager (ASN), Principal Educational Psychologist, Education Officer (ASN) and Education Support Officer (ASN) will review their recommendations
- The use and effectiveness of ASN Assistant support will be reviewed during the academic year by the panel and will be supported by APT visits to schools and more formal audit activity to ensure that resources continue to be deployed appropriately and to best effect to support children with additional support needs.

5.5.3 The application of the above revised procedures at the start of academic year 2015-16, resulted in an assessed allocation of 5,981 hours per week (as at 29 October 2015). This compares with an allocation of 6,532 hours in 2014/15 representing an operational efficiency of 551 hours per week (8.4% reduction). In financial terms when taking the 2015-16 and 2016-17 pay awards into account, this would equate to a full year saving of £0.280m or a part year saving from the start of academic year 2016-17 of £0.175m. These figures have been calculated using salary mid points for ASN Assistants and may be subject to slight change. They also exclude allocations to early years establishments and Parklands School at this time. The Education Service have also utilised temporary contracts where possible to allow for the efficiency based reduction in hours without the need for redundancy arrangements.

5.5.4 The above figures may be realised whilst meeting the assessed needs of all current pupils.

5.6 ASN Cover Budgets

5.6.1 The Review Group considered the practice that had developed of some schools seeking to access funding for cover for ASN Assistants who were absent despite there never having been a centrally held budget for that purpose. This had placed considerable pressure on the Education Service (reaching almost £0.5m) and which was therefore diverting funding away from planned areas of spend. A capped sum of £0.080m was identified within the ASN budget at the start of academic year 2015-16 for the purpose of providing cover on a strictly prioritised basis – schools were advised of the procedure at the start of the term and this sum will not be exceeded under any circumstances. Schools were also advised this budget provision is also an

option to be consulted on by the council in its service choices programme.

5.7 Next Steps for the Review Group

Having delivered on the development of the staged intervention framework and procedures and the procedures for the equitable and efficient use of ASN Assistant support, the Review Group is working on the following next steps before concluding its work:

5.7.1 Management of Peripatetic Support Teachers

The development of proposals for improved management arrangements for peripatetic support teachers to ensure the maximum flexibility in their deployment to schools.

5.7.2 Review of Learning Centres

The review of learning centre operations will also consider the need to maximise capacity to meet pupil ASN needs ensuring consistency of Learning Centre provision in the primary sector in all four mainland areas. This will identify specific provision for children with higher tariff additional support needs across all 4 mainland areas and concentrate support resources in identified locations. This will have to be developed in conjunction with an updated approach on Learning Centres – it is anticipated this work will be reported on by June 2016.

5.7.3 Looked After Children and Those at Risk of Becoming Looked After

The development of approaches to support the joint social work/education Alternatives to Care initiative. The aim of this approach is to reduce the amount spent on out of authority day and residential placements in the longer term.

5.7.4 Generic Support Assistant Role

The amalgamation of various support assistant posts to create the post of general support assistant. This will include classroom assistants, additional support needs assistants and pupil support assistants. An amalgamation of roles and responsibilities will maximise the flexibility of head teachers to prioritise and deploy support staff to better meet the needs of pupils with additional support needs. This may also reduce the number of staff currently employed as ASN assistant posts.

This may also involve maximising deployment flexibility within support assistant contracts through the introduction of area contracts. A detailed timetable for the consultation and implementation of the above options will be developed by the Review Group in its next phase of work.

5.7.5 Support for Children with a Hearing Impairment

The Review Group has noted a considerable increase in the number of children with a hearing impairment. Consideration will be given how best to adequately

address needs of this cohort.

6.0 CONCLUSION

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

7.0 IMPLICATIONS

- 7.1 Policy: The report links directly to Outcome 3 in the Argyll and Bute Single Outcome Agreement (Education Skills and Training maximises Opportunities for All).
- 7.2 Financial: The Council expends a considerable sum to support the delivery of additional support to meet the identified needs of children and young people. To ensure the continues to meet these needs in a challenging financial context, it requires to ensure an equity in distribution of support funding and seek operational efficiencies..
- 7.3 Legal: The council has a responsibility to discharge its obligations in relation to education legislation, as prescribed in both the Standards in Scotland's schools etc. Act and the Additional Support for Learning Act and in doing so seek to do this to a high standard.
- 7.4 Personnel: The recommendations in this paper may reduce the number of ASN Assistants employed by the council. In line with the consultation arrangements around the service choices programme, the Education Service will consult with relevant trade union colleagues and all efforts will be made to avoid compulsory redundancy. Discussions will be required with HR to vary contracts in order to create a general assistant post.
- 7.5 Equalities: In meeting the additional support needs of individual children and young people there is a requirements to be aware of the provisions within The Equality Act 2010.
- 7.6 Risk: Failure to address any issues arising from the completed review presents potential legal, financial, equalities and reputational risks to the council.
- 7.7 Customer Service: Addressing the terms of the review of Additional Support Needs provision may be perceived as a detriment to the current levels of service and may be contentious.

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