

Education, Children and Young People Committee

21st Meeting, 2023 (Session 6), Wednesday 28 June 2023

Additional Support Needs (ASN) inquiry - Scoping evidence session

Introduction

1. At its meeting on 8 June 2022, the Committee agreed to carry out an inquiry on Additional Support Needs (ASN) when time allowed.
2. At this meeting, the Committee will take evidence from members of the Additional Support for Learning Project Board, which is co-chaired by the Scottish Government and the Convention of Scottish Local Authorities (COSLA). The Board is responsible for supporting additional support for learning and inclusion policy, including through delivery of the Additional Support for Learning (ASL) Action Plan and associated workstreams. It is intended that this session will provide context for agreeing the scope of the Committee's inquiry.
3. In reflecting on the scope of its inquiry into ASN after today's session, the Committee will also consider petition [PE1747: Adequate funding to support children with additional support needs in all Scottish Schools](#), which the Committee agreed to consider as part of a future work programme at its meeting on [4 May 2022](#). Petition PE1747 calls on the Scottish Parliament to urge the Scottish Government to provide adequate funding to support children with additional support needs in all Scottish Schools (Primary, Secondary and Special).

Committee meeting

4. At its meeting today, the Committee will take oral evidence from—
 - Laura Caven, Chief Officer, Children and Young People Team and Co-chair of the Additional Support for Learning Project Board, Convention of Scottish Local Authorities (COSLA);
 - Laura Meikle, Head of Support and Wellbeing Unit and Co-chair of the Additional Support for Learning Project Board, Scottish Government;

- Fran Foreman, Project Board Member and Senior Education Officer – Inclusion and ASN / Inclusion, Wellbeing and Equalities, Education Scotland; and
- Scott Mulholland, Chair of the ADES Children and Young People’s ASN Network, Project Board Member and Assistant Director of Education, South Ayrshire Council.

Supporting information

5. A SPICe briefing and an accompanying annexe are included in **Annexe A** and **Annexe B**.

Education, Children, and Young People Committee Clerks
23 June 2023

Annexe A

The logo for SPICe, featuring the text 'SPICe' in white on a dark purple background.The logo for The Information Centre, featuring the text 'The Information Centre' and 'An t-Ionad Fiosrachaidh' in white on a dark blue background.

Education, Children and Young People Committee

28 June 2023

Additional Support for Learning

Introduction

The Committee has agreed to take evidence on the support provided for pupils who have additional support needs (ASN).

The Committee will hear from Members of the [Additional Support for Learning Project Board](#). This board is co-chaired by officials from the Scottish Government and COSLA. Its responsibilities are “to support the monitoring of implementation and oversee delivery of additional support for learning and inclusion policy, including through delivery of the Additional Support for Learning (ASL) Action Plan and its associated workstreams.” The Action Plan sets out how the Scottish Government and COSLA will take forward the recommendations of the 2020 report [Support for Learning: All Our Children and All Their Potential](#), (“The Morgan Review”).

The Morgan Review is seen as one of the key documents driving the improvement and reform of Scottish education. This session is an opportunity to seek an update on the progress made since the publication of the Morgan Review. The breadth of the work of the Project Board means that this session could also be useful to frame the inquiry that the Committee has agreed to undertake on additional support for learning.

The Committee has already undertaken work relevant to this area and to this session. For example, the Committee’s work on the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill and the roundtable on violence in schools earlier this month.

This paper provides a short briefing on Additional Support for Learning (ASL). Then, the paper sets out the context and key themes of the Morgan Review and the 2022

Action Plan update. Finally, the paper highlights some of the themes that the National Discussion and Hayward review have identified.

Additional Support for Learning

Definitions

A pupil has additional support needs should, for whatever reason, or if, for whatever reason, they are unlikely to be able to benefit from school education without additional support. Section 4 of the [Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#) provides that education authorities identify the additional support required by every child for whose school education it is responsible and “make adequate and efficient provision” for those children. This duty is caveated somewhat: an education authority is not required to make provision that would require unreasonable additional expenditure.

However, the statutory obligation to identify additional support needs does not require that a diagnosis be made. The definition of ASN is broad and includes, for example:

- very able children;
- those who may need temporary additional support due to family circumstances such as bereavement; and
- children with physical or learning disabilities.

The legislation does not list any particular conditions or type of need, except that there is a presumption that looked after children are considered to have additional support needs. [Statutory guidance on the 2004 Act](#) provides a non-exhaustive list of conditions, and statistics are gathered on the reasons for schools providing additional support.

The concept is relational. What we might consider additional will depend on what is considered universal. These concepts will not necessarily be the same from school to school or local authority to local authority over time. In addition, the universal provision may meet the needs of more pupils in one classroom than another. Douglas Hutchison, Executive Director of Education Services at Glasgow City Council, illustrated this colourfully. He [told the Committee](#)—

“I might have Miss Honey this year as my teacher: she is a great teacher and I do not have any problems. Next year, however, I might have Miss Trunchbull. Suddenly, I have additional support needs, because she is not helping me to access the curriculum. I have not changed; the external environment has changed.”

Data

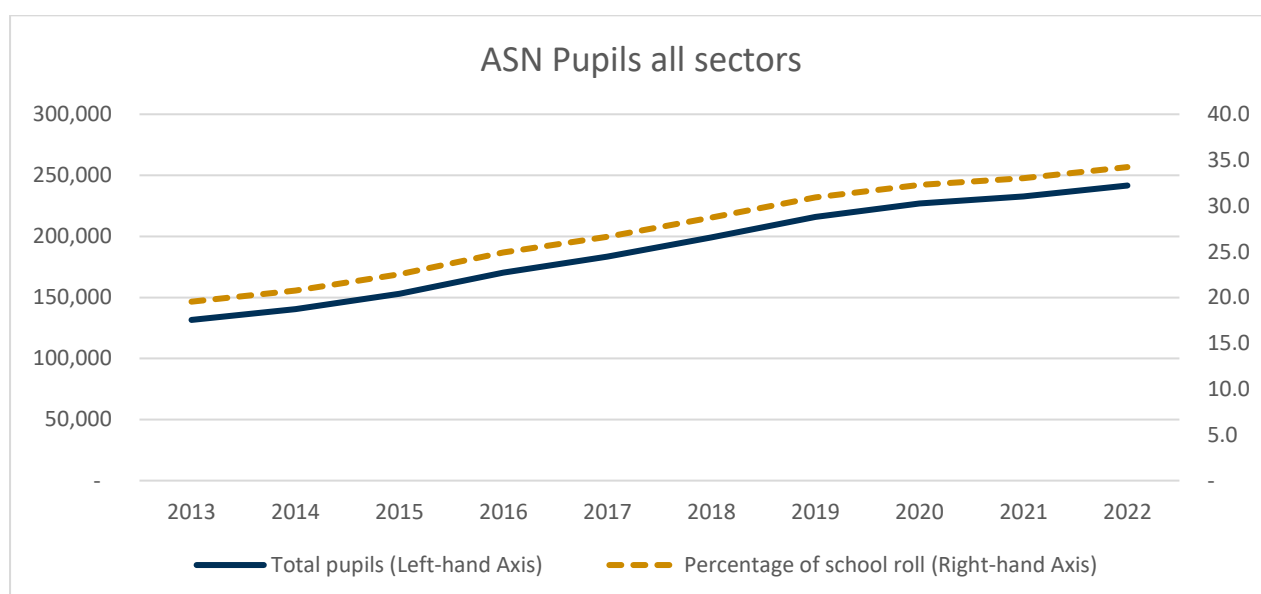
The pupil census and teacher census supplementary tables contain a lot of data on pupils with additional support needs.

The pupil and teacher censuses take place every year in September; the following section draws out data from those sources. Data on pupils with ASN comes from the pupil record on SEEMIS. There are 705,874 pupils in public and grant-maintained schools in Scotland.

Total incidence of ASN pupils

Overall, the number of pupils in 2022 with an identified additional support need was 241,639 pupils which represents 34.2% of all pupils. The percentages for mainstream primary and secondary pupils were 28.3% and 40.1% respectively.

The number of pupils identified has grown substantially over the past ten years (and before then too). The chart below shows the growth in numbers of pupils identified as having additional support needs.

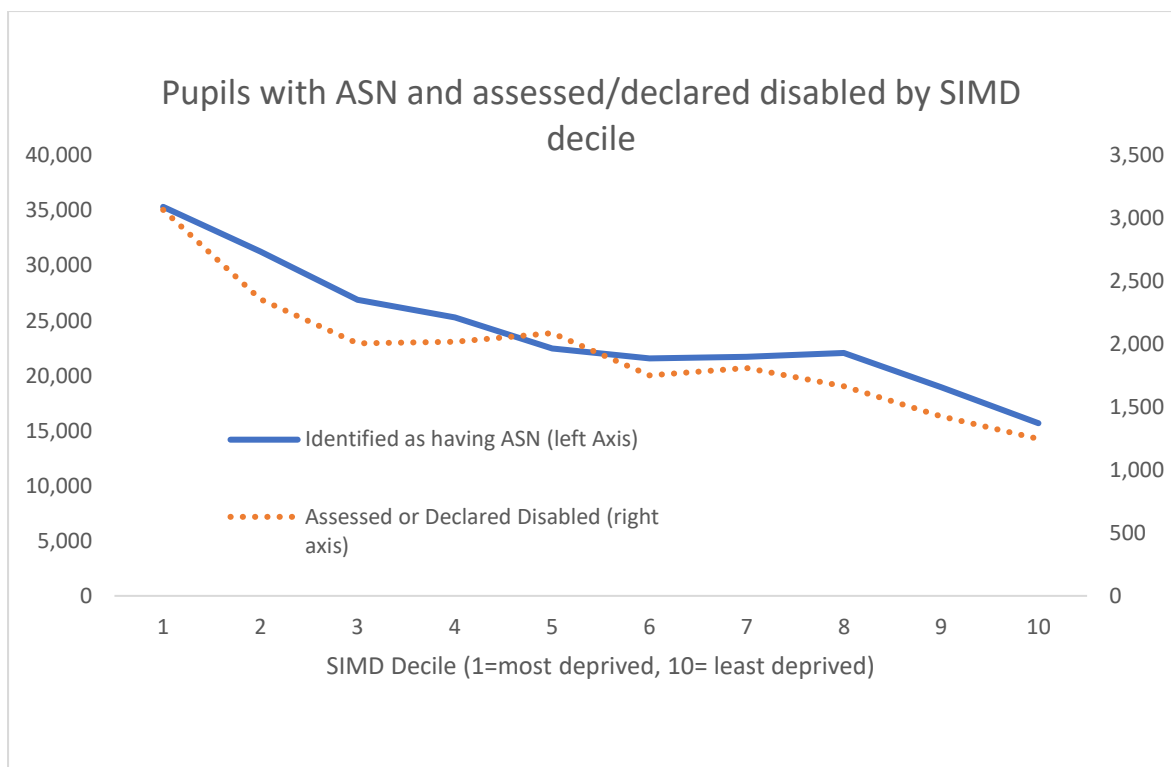


Year-on-year, more pupils are identified and recorded as having ASN. The reasons for this are not wholly understood. It could be that changes in society – an increase in poverty or mental health issues for example – have led to a change in the population. It is likely that at least some of this increase reflects a change in approach in the identification and/or recording of ASN.

At the same time the number of teachers who can be identified in the teacher census as being primarily concerned with supporting pupils with ASN (e.g., ESOL, ASL, Guidance, visual or hearing impairment teachers) has not increased by the same levels. However, given the breadth of the definition, all teachers could be considered teachers of pupils with ASN.

Correlation with deprivation

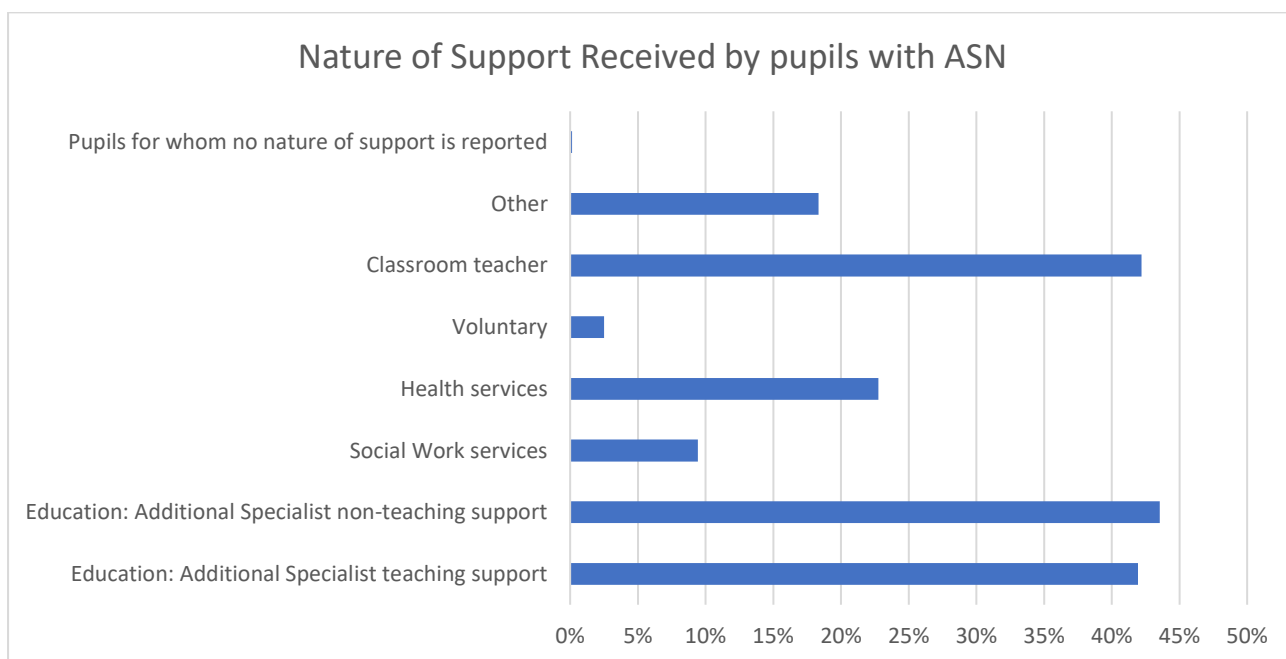
There is a correlation between the number of pupils identified with ASN and deprivation measured by SIMD. There is a very similar correlation between those assessed or declared as disabled and deprivation measured by SIMD. The chart below illustrates this.



Who supports pupils with additional support needs?

Teachers lead learning in classrooms although pupils are supported inside and outside the classroom by a range of services or staff.

The chart below shows data on who provides additional support to the pupils identified with ASN. The percentages shown are the percentage of pupils with ASN who receive support from different categories of professionals. The percentages do not sum to 100% because pupils can receive support from a number of sources.



The next table shows the number of pupils with an identified ASN by how much of their time is spent in mainstream class settings.

Nature of attendance	All pupils in special schools and those with Additional Support Needs in mainstream schools	%age of ASN Pupils
<i>All ASN pupils</i>	241,639	-
All the time in mainstream classes	224,517	93%
$\frac{3}{4}$ or more but less than all time in mainstream classes	3,017	1%
$\frac{1}{2}$ or more but less than $\frac{3}{4}$ of the time in mainstream classes	1,565	1%
$\frac{1}{4}$ or more but less than $\frac{1}{2}$ of the time in mainstream classes	553	0%
Some time, but less than $\frac{1}{4}$ of the time in mainstream classes	775	0%
No time in mainstream classes	11,212	5%

These data show that 93% of children identified with ASN spend all their time in mainstream classes and around 5% spend no time in mainstream classes. However, the preceding chart shows that a range of professionals support those children's needs and, for example, social workers and health professionals are perhaps unlikely to be working in the classroom setting.

Covid and its impacts

The Morgan Review was published in 2020. As set out below, its findings were based on the situation and concerns raised before the pandemic.

The Committee has heard recently about the continuing effects of Covid and the policy responses on children and young people. For example, a submission from [Dr Joan Mowat along with Dr Gale Macleod](#) prior to the session on violence in schools on 14 June said—

“There has been an extensive literature emanating from international organisations (such as the World Health Organisation, UNICEF, the OECD), academia, government, the 3rd sector and commentators (such as the Children's Commissioners in England and Scotland) which has highlighted the devastating impact of the pandemic on the mental health and wellbeing of

children and young people (CYP) [8-17]. There is consensus that the pandemic has served to exacerbate existing inequalities with the most vulnerable CYP being most at risk from long-term effects.”

Several witnesses identified the pandemic as a potential cause for increasing levels of distressed and unacceptable behaviour in schools. [EIS's submission](#) prior to that meeting said that its members had seen greater levels of distressed behaviour from young children in P1 and P2. (p19ff)

[In February of this year, the Committee received a letter from the Royal College for Speech and Language Therapists](#) that suggested that there is a “spoken language crisis” and said that research indicates that there has been “a significant increase in communication needs in children since the start of the pandemic.”

The Scottish Government’s 2021 [Coronavirus \(COVID-19\) education recovery: key actions and next steps](#) included a section on work being undertaken to support health and well-being of pupils. It listed a number of interventions supported by Scottish Government funding, such as school counsellors. The [recovery plan’s section on ASN](#) noted, among other things, funding for pupil support staff. The “Next steps” part of the section on ASN focused on the work implementing the Morgan Review.

The Morgan Review

The Context

Delivering additional support for learning to meet the needs of children is a common issue that is raised when discussing school education. This was a focus of the Session 5 Education and Skills Committee. In its [2017 report](#) on ASL, that Committee highlighted the evidence it had heard about a “gap between the experience envisaged of inclusive education and the experience of the children they supported in practice”. It also noted the views it had heard whereby there were insufficient resources in place to support ASL, particularly the mainstream education of pupils with ASN. The Committee recommended that the Government undertakes “a quality assurance review of the implementation of the presumption to mainstream policy, and more broadly of the availability of additional support for learning in mainstream schools”.

Around that time, there were other reports that identified an implementation gap in this policy area. For example, ENABLE Scotland’s 2016 report [#IncludED in the Main?!](#) found that “inclusive education [was] far from a reality for many young people who have learning disabilities”. A 2018 report [Not included, not engaged, not involved](#), jointly produced by Children in Scotland, the National Autistic Society Scotland and Scottish Autism, highlighted the experiences of families with autistic children and the extent to which those children were receiving a full education.

In 2019, EIS published [Exploring the gap between promise and practice](#), based on a survey of its members. It argued that specialist support for ASL is being undervalued, that there is an underinvestment in ASL and that this, the report argued, was in the context of increasing levels of need in the population.

In 2019, the Scottish Government's Social Research team undertook qualitative research for the year 2017/18 "to explore the experiences of children and young people of additional support for learning, as well as the experiences of those who support them." The Government published a report on this research in the same year: [Additional support for learning: experiences of pupils and those that support them](#). This report was more positive about the experiences of children and young people with ASN than others listed in this paper. Nonetheless, it found that almost all local authority officers and school staff in the research saw room for improvement.

It is important to note that while these reports highlight implementation gaps, they can also highlight good practice and what is working well. For example, the 2019 EIS report said that "many young people are having their needs met in school". The Government's 2019 report found—

"Overall, most local authority officers felt that the balance of additional support for learning provision was improving in their area, becoming more flexible and individualised. However, most felt that there was still more to do to improve the balance of provision, including developing the resources available in mainstream schools, and being able to recruit skilled teachers and support staff. In some areas, there was a clear feeling from local authority officers and school staff that there were not enough resources to meet needs - particularly in mainstream schools."

And:

"Overall, almost all pupils at mainstream schools and special schools felt their needs were well met."

The Scottish Parliament held a debate on 30 January 2019 during which the Parliament agreed on a motion that called on the Government "to review the presumption to mainstream policy to ensure there can be more effective uptake of the provision of places in special schools and specialist units and utilisation of specialist staff, and, agrees that this review should be founded on a continuing commitment to a presumption to mainstream and on the need to ensure that children and young people's additional support needs are met, to enable them to reach their full potential". The Morgan Review resulted from this January 2019 debate.

The Session 5 Education and Skills Committee undertook three evidence sessions on the Morgan Review. These were:

- [8 November 2020](#), with Angela Morgan (the Independent Chair of the Review of Implementation of ASL)
- [20 January 2021](#), with stakeholders
- [3 February 2021](#), with the then Cabinet Secretary for Education and Skills.

Conclusions and recommendations

The review covered nine themes. These were:

- Vision and visibility;
- Mainstreaming and inclusion;
- Maintaining focus, but overcoming fragmentation;
- Resources;
- Workforce development and support;
- Relationships between schools and parents and carers;
- Relationships and behaviour;
- Understanding Rights; and
- Assurance mechanism and inspection.

The Review itself cautions against focussing on one or several areas of the report and Ms Morgan urged readers “to read all the themes, as they are so interconnected.” The recommendations were set out with a number of sub-recommendations under each theme.

A key part of the Review is about values and culture. The Review highlighted the importance of public services working collaboratively with parents who will advocate for support for their children. It said—

“For committed staff, endeavouring to maintain their professional integrity, the key delivery conditions already noted, are essential. Where openness and transparency are not in place, the risks are of a culture of blame and/or a culture that lacks robust accountability for practice with vulnerable children and young people. These are significant issues, which are extremely uncomfortable to raise. They must be aired and considered. Not to ascribe fault or blame, but to assist in understanding the fundamental problems that this Review has been established to consider.” (p28)

Throughout the review, Ms Morgan refers to communication, good relationships and kindness in public service. The Review set out four key conditions for delivery. These are—

- Values driven leadership;
- An open and robust culture of communication, support, and challenge – underpinned by trust, respect and positive relationships;
- Resource alignment, including time for communication and planning processes; and
- Methodology for delivery of knowledge learning and practice development, which incorporates time for coaching, mentoring, reflection and embedding into practice. (p27)

In her opening statement to the Session 5 Committee, Ms Morgan said—

“I found many dedicated, skilled and inspiring professionals who are enormously committed to children and young people who have additional challenges. I found that the system is overly dependent on those individuals, and it is fragmented and inconsistent....

“Culture, leadership and mindset are key ... visibility and value are not what they should be. The legislation is internationally recognised but, in practice, additional support is consistently seen as an afterthought in policy and discussion.”

Ms Morgan also highlighted three main conclusions to the Committee. These were:

- additional support for learning is not visible and is not equally valued within Scotland’s education system;
- mainstream education should be redefined to reflect the needs of pupils who have additional support needs in the context of rising numbers of pupils identified as having ASN and
- there is too narrow a view of learning in school education.

The second bullet reflects a key change that the concept of mainstream school should be updated to reflect the needs of all children, and that provision should be flexible and child-centred. This is a shift from focusing on additionality to focusing on universal provision that meets everyone’s needs.

Resources

The remit of the Review was explicit that the relevant issues would be considered within existing resources. The debate on the provision of ASL is often tied to resources and allocations of budgets, at a local authority level and the Scottish Government’s local government settlement. This is often presented alongside the perception of increasing numbers of children with ASN and those children’s needs becoming more complex.

The Review could not avoid a discussion on resources and one of its nine themes was on this topic. It recommended that Audit Scotland “use the key themes in this report and the associated findings from Audit Scotland’s audit of educational outcomes to inform the scope of their national performance audit on outcomes for children and young people with additional support needs.” (Recommendation 4.1) Audit Scotland has not undertaken this work at this stage.

The Review noted that constrained budgets have wider impacts than simply support not being available. It reported—

“School staff perceived that access to other public services, especially in health and social work, was requiring significantly higher thresholds. They saw this as preventing access to the services children and young people need.” (p36)

The Review also argued that there is “a risk of need being defined by support provided”. The Review also suggested that constrained resources can have other effects on how children’s needs can be prioritised, with a focus “on the children and young people who are most visible”. (p30) The Review reported that—

“Expenditure on Additional Support for Learning comprises one of the areas of most unpredictable local authority spend associated with legal entitlements. However, senior figures in public sector finance confirmed that it tends to be overlooked at corporate level in local authorities due to the focus on the other very real challenges of providing adult and older people services.” (p35)

[Douglas Hutchison Executive Director of Education Services at Glasgow City Council](#) told the Committee on 19 January 2022—

“The law says that, as a director, I have a legal duty to meet all the additional support needs, but the reality is that there is a limited resource to do that, and the job becomes managing that resource to ensure that we meet the needs as best we can with the resource available. There is a finite resource and a significant demand, so it becomes a matter of managing that resource and skilling up every teacher in every classroom to meet the broad range of needs.”

The Action Plan

The initial response to the Morgan Review was published in October 2020. The joint response from the Scottish Government and COSLA accepted all the recommendations of the review directed at local or national government. The Government published an action plan alongside this response which set out how the recommendations would be taken forward. This said—

“To ensure that the delivery of this action plan has the intended impact for children and young people with additional support needs, the Additional Support for Learning Implementation Group (ASLIG) will agree robust implementation and outcome measures for each recommendation which relate to the National Improvement Framework.”

ASLIG was a continuation of the previous Advisory Group on Additional Support for Learning and has since been replaced by the Additional Support for Learning Project Board, which met for the first time on 22 June 2022. The role of the current Project Board is broader than only taking forward the recommendations of the Morgan Review. Its remit is to “support the monitoring of implementation and oversee delivery of additional support for learning and inclusion policy, including through delivery of the Additional Support for Learning (ASL) Action Plan and its associated workstreams.”

The Government published updates on the Action Plan in [October 2021](#) and [November 2022](#). The 2022 Action Plan restructured the continuing work following the Morgan Review under four themes. This was to “simplify” the presentation of the action plan. These themes are—

- Children and Young People's Engagement, Participation & Rights;

- Parent and Carer Engagement, Participation & Rights;
- Teacher and Practitioner Professionalism and
- Leadership & Improvement.

Actions under these themes are linked to recommendations of the Morgan Review.

Children and Young People's Engagement, Participation & Rights

There are fourteen actions under this section.

Three actions are complete; this includes “a national overarching vision statement for success for children and young people with additional support needs.” It was [published in 2021](#) and developed by a group of young people, the Young Ambassadors for Inclusion. Their vision is that:

- school should help me be the best I can be;
- school is a place where children and young people learn, socialise, and become prepared for life beyond school;
- success is different for everyone and
- it is important that all the adults that children and young people come in to contact with in school get to know them as individuals. They should ask, listen, and act on what the young people say about the support that works best for them.

There is an action on promoting this vision. Other actions under this theme are around including young people in policy development and understanding the impact of incorporation of the UNCRC.

There is also an action on increasing awareness of ASL within Government. There will also be a mapping exercise “to capture the breadth of policy development aligned to additional support for learning”, which was due to be completed this month.

Parent and Carer Engagement, Participation & Rights

There are twelve actions under this theme. Of these, four are marked as complete. Many of the actions in this section are to do with the information and support available to parents and carers of children with ASN.

Teacher and Practitioner Professionalism

There are nineteen actions under this theme. Of these, nine are marked as complete.

There are a number of actions on the roles of pupil support staff and the support that those individuals receive.

There are also actions in relation to supporting teaching staff. This includes actions in relation to initial teacher education, early career development and options for progression throughout teachers' careers.

The final action point under this theme is in regard to the Principles into Practice programme to support the transition of young people with additional support needs as they move out of school education and children's services.

Leadership & Improvement

This theme has the highest number of actions – 31. Of these, seven are complete.

Specific actions under this theme include:

- Refreshing the statutory guidance on the 2004 Act;
- Refreshing GIRFEC policy and practice guidance;
- Developing a national measurement framework to capture the range of successes and achievements of children and young people with additional support needs and
- Supporting and promoting mediation as a dispute resolution and as a tool for improving services.

Several actions are in relation to sharing good practice and collaboration. There are also a number of actions which are related to ensuring that ASL is considered in wider reviews.

Recent reviews

National Discussion

On 31 March 2023, the Scottish Government published the results of the National Discussion on Education, [All Learners in Scotland Matter - national discussion on education: final report](#). Over 38,000 people took part in the National Discussion in 2022.

This report included a vision for Scottish education, under the title “All Learners in Scotland Matter”. The full vision is included in Annexe A. This vision is similar to the approach suggested by the Morgan Review. It frames the purpose of education as supporting every individual child. The vision includes this paragraph—

“All learners are supported in inclusive learning environments which are safe, welcoming, caring, and proactively address any barriers to learning and inequities that exist or arise. Education in Scotland nurtures the unique talents of all learners ensuring their achievement, progress, and well-being.”

The evidence of the National Discussion had similar themes to the reviews and reports identified in the previous section. It said—

“We heard of children whose needs were being addressed and Support for Learning teachers, teachers in general, and support and specialist staff who were doing their very best. However, we also heard concerning and troubling experiences from parents about their child not receiving timely or necessary supports and sometimes inappropriate use of exclusions and other sanctions. The need for timely attention to, and resourcing for, appropriate ASN provision is now urgent.” (para 5.2.10)

The National Discussion also echoed one of the key issues of the Morgan Review; that is, “when over a third of the school-age population have an ‘additional’ need, it no longer becomes something ‘additional’ to the education system and children’s experiences, it is a central feature of Scotland’s school population.” (para 5.2.11)

The Call to Action included—

“There is a need to ensure adequate sustained funding to provide staffing and specialist resources to be able to achieve the commitment to inclusivity and meeting the individual needs of each learner, with a particular urgency for children and young people identified as having Additional Support Needs (ASN).”

Hayward Review

The [interim report of Professor Hayward’s Independent Review of Qualifications & Assessment in Scotland](#) stated that this review was influenced by the findings of the Morgan Review.

The language of the Hayward Review interim report reflects that of the Morgan Review and the National Discussion. The draft vision for a future qualifications system in the interim report was—

“An inclusive and highly regarded qualifications and assessment system that inspires learning, values the diverse achievements of every learner in Scotland and supports all learners into the next phase of their lives, socially, culturally and economically.”

And the focus on meeting the needs of all learners was reiterated in the first (of six) draft principles, which said that Scotland’s qualifications and assessment system should “recognise, value and promote the rights and achievements of every learner.”

The [final report](#) on the Hayward Review was published on 23 June.

Review of Co-ordinated Support Plans

Co-ordinated support plans (CSPs) are statutory plans under the 2004 Act. In addition, there are a range of non-statutory planning mechanisms used by local authorities intended to support the needs of children in schools.

Local authorities have a statutory duty to put in place a CSP if the statutory conditions are met. These are that a child has longstanding ASN arising from one or more complex factors or multiple factors which require significant additional support to be provided by more than one service. The CSP is seen as particularly important as it can open up additional routes of redress through the ASN tribunal.

After concerns that CSPs are under-used by local authorities, a short-life working group (SLWG) was established. It [reported in November 2021](#) and found “variations in awareness and understanding of the legislation, support and planning process” including in the purpose and statutory obligations of local authorities. The SLWG made recommendations around:

- culture and relational approaches;
- the availability and accessibility of information and guidance for children, young people, parents, carers and professionals; and
- ensuring sufficient resource is needed to provide time for genuine collaboration and multi-disciplinary planning and to support the delivery of agreed outcomes for children and young people.

Ned Sharratt, Senior Researcher (Education, Culture), SPICe Research

23 June 2023

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Annexe B

Vision Statement for the Future of Scottish Education

Children and young people are at the heart of education in Scotland. The Scottish education system values collaborative partnerships that engage all learners, the people who work within and with the education system, parents, and carers to ensure that all learners in Scotland matter.

All learners are supported in inclusive learning environments which are safe, welcoming, caring, and proactively address any barriers to learning and inequities that exist or arise. Education in Scotland nurtures the unique talents of all learners ensuring their achievement, progress, and well-being.

Each child and young person in Scotland have high-quality learning experiences which respect their rights and represents the diversity of who they are and the communities they live in.

Each child and young person experiences great teaching, resources, and support for joyful learning that builds their confidence and equips them to be successful and to contribute to their life, work, and world, so they know how much they matter.