

Education, Children and Young People Committee

6th Meeting, 2024 (Session 6), Wednesday 21 February 2024

Additional Support for Learning inquiry

Introduction

1. The inquiry will consider how the [Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#) (the 2004 Act) has been implemented and how it is working in practice. This inquiry will focus on the following themes—
 - the implementation of the presumption of mainstreaming
 - the impact of COVID-19 on additional support for learning
 - the use of remedies as set out in the Act
2. This is the first formal evidence session of the inquiry, in which the Committee will focus on the first and third themes as set out above. The Committee will take evidence from the following panels of witnesses—
 - Susan Quinn, Convenor the EIS Education Committee, EIS
 - Mike Corbett, National Official (Scotland), NASUWT
 - Peter Bain, President, School Leaders Scotland
 - Mathew Cavanagh, ASN Committee, Scottish Secondary Teachers' Association
 - Sylvia Haughney, Education Convener at Glasgow City UNISON branch UNISON Scotland

Background

3. SPICe has produced a background briefing note which is attached at **Annexe A**.

Participation

4. The Committee was keen to speak to people with lived experience of how the operation of the 2004 Act is working in practice. On 19 February 2024, the

Committee will hold two participation sessions, one with young people and one with parents and carers. The Committee plans to hold a further session with teachers on 4 March 2024. A note of these sessions will be published on the website in due course.

Evidence

Written evidence

5. Written evidence provided by the following witnesses is attached at **Annexe B**—
- EIS
 - NASUWT
 - School Leaders Scotland
 - Scottish Secondary Teachers' Association – ASN Committee
 - UNISON Scotland

Call for views

6. The Committee issued a call for views on 25 October 2023 which included a BSL version and which ran until 31 December 2023. The Committee received [589 responses](#) to the call for views and [29 responses](#) to the BSL version, all of which can be read on the website. The Committee's call for views asked the following questions—

Implementation of the presumption of mainstreaming

The presumption in favour of 'mainstream education' strengthened the rights of pupils to be included alongside their peers, with the four key features of inclusion identified as: present, participating, achieving, and supported.

To what degree do you feel the presumption of mainstreaming successfully delivers on inclusive education for those pupils requiring additional support?

And/or

What impact, if any, does the presumption of mainstreaming have on the education of pupils who do not require additional support?

For children with additional support needs, in your experience:

Can you provide details of how these additional support needs were recognised and identified initially? Was there any delay in the process which followed the identification of additional support needs and formal recognition which leads to the accessing of the additional support? If so, what was the delay?

Where the child is being educated in specialist settings can you give examples of where their needs are being met, and examples of where they are not being

met?

What specialist support does the child receive and what support do you get in accessing this support? Are there any gaps in the specialist support provided either because the prescribed support is not available or extra support not formally prescribed is not being provided?

On balance, do you view the presumption of mainstreaming as having been a positive or negative development for your child or in general, and on balance, do you view the presumption of mainstreaming as having been a positive or negative development for other children in Scottish schools?

Impact of COVID-19 on additional support for learning

In what ways has the pandemic impacted on the needs of pupils with additional support needs and the meeting of those needs, both positively and negatively?

How successfully have local authorities and schools adjusted to meet these needs?

The use of remedies as set out in the Act

How are parents/carers and young people included in the decisions that affect the additional support for learning provided to young people and could this be better?

Are you aware that there are statutory remedies around the provision of additional support for learning as set out in the 2004 Act, specifically:

Right to have a 'supporter' present in discussions or an 'advocacy worker' make representations to the local authority, the local authority does not have to pay for this. (s.14)

Right to an advocacy services, free of charge, for those taking cases to the Additional Support Needs Tribunal (s.14A)

Independent mediation, free of charge (s.15)

Independent adjudication, free of charge (regulations under s.16)

A Tribunal for certain issues involving Co-ordinated Support Plans, placing requests and disability discrimination cases under the Equality Act 2010.

If you have experience of any of these processes, do you have any comments on your experiences?

Any other comments?

7. SPICe has produced a summary of the responses received to the call for views which is attached at **Annexe C**.

Local authority position

8. In advance of launching the inquiry the Committee wrote to all local authorities across Scotland seeking a response a number of questions.
9. Responses have been received from 25 local authorities, which are published on the website. SPICe has produced a summary of these responses, which includes a list of those who responded, and is attached at **Annexe D** to this note

Next steps

10. The Committee will continue to take evidence on the inquiry at its meetings on 28 February, 6 March, 13 March and 20 March.

Committee Clerks
February 2024

ANNEXE A



Education, Children and Young People Committee

21 February 2024

Additional Support for Learning

Introduction

The Committee agreed to undertake an inquiry on Additional Support for Learning. The Committee agreed to focus on the following themes—

1. the implementation of the presumption of mainstreaming
2. the impact of COVID-19 on additional support for learning
3. the use of remedies as set out in the Act

In 2023, the Committee undertook two sessions specifically on ASL. One was on [behaviour in schools on 14 June 2023](#) and on [28 June 2023 the Committee](#) heard from the Scottish Government/COSLA's [Additional Support for Learning Project Board](#) which is tasked with taking forward the recommendations of the 2020 Morgan Report. The Committee agreed to undertake the present inquiry following those two sessions.

This will be the first formal session and the Committee will be focusing on themes 1 and 3 with the witnesses although the session may stray into theme 2. The Committee has already undertaken a range of work gathering written views which has resulted in a high number of responses from organisations and individuals. The Committee will have also undertaken two informal sessions with young people and parents/carers on 19 February. Given the volume of text Members are presented with, this paper is intended to provide a brief overview of the policy landscape in relation to the implementation of the presumption of mainstreaming and the use of statutory remedies.

This inquiry can be considered as post legislative scrutiny. Section 15 of the [Standards in Scotland's Schools etc. Act 2000](#), introduced a presumption of mainstreaming for all children and young people except under certain circumstances. The [Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#) sets out the wider duties local authorities have in supporting pupils with additional support needs.

Implementation of the presumption of mainstreaming

Section 15 of the [Standards in Scotland's Schools etc. Act 2000](#) provides that education authorities will provide school education to all pupils "in a school other than a special school" unless one (or more) of the following circumstances arises—

- (a) would not be suited to the ability or aptitude of the child;
- (b) would be incompatible with the provision of efficient education for the children with whom the child would be educated; or
- (c) would result in unreasonable public expenditure being incurred which would not ordinarily be incurred.

The 2000 Act says that "it shall be presumed that those circumstances arise only exceptionally". If one of the circumstances listed above is true, the education authority may provide education to child in mainstream education, but it "shall not do so without taking into account the views of the child and of the child's parents in that regard".

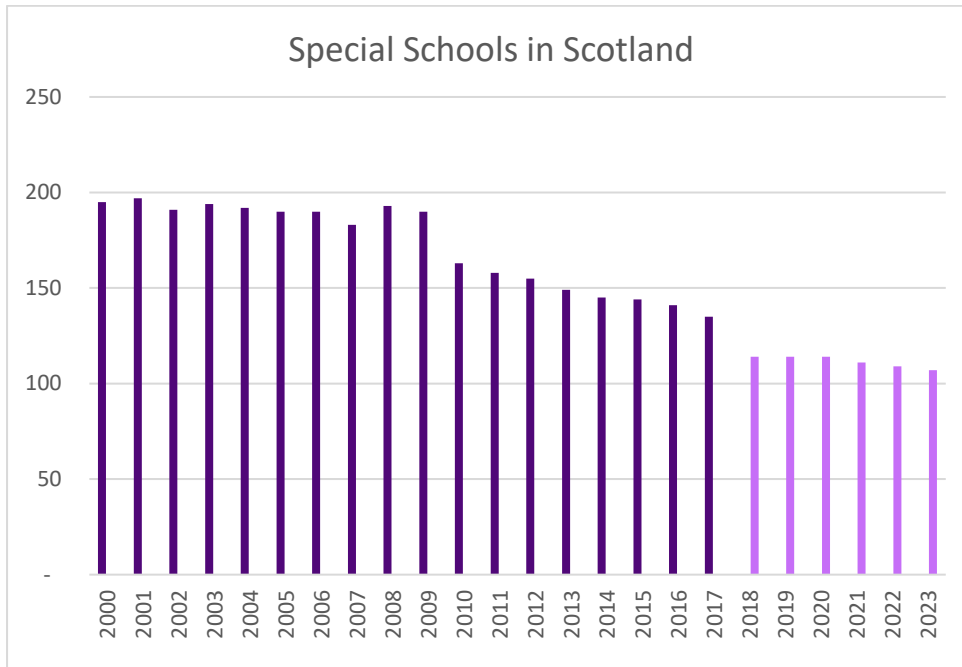
The 2000 Act applies to all children for whom the education authority is providing school education. The [policy intention](#) as set out in the Explanatory Notes to the 2000 Act was to "strengthen the rights of children with special educational needs to be included alongside their peers in mainstream schools." The benefits of an inclusive education system are considered to be broader than this. For example, a [2017 UNICEF document](#) stated that inclusive education—

- Improves learning for all children – both those with and without disabilities.
- Promotes understanding, reduces prejudice and strengthens social integration.
- Ensures that children with disabilities are equipped to work and contribute economically and socially to their communities.

Since 2000, the approach to support pupils' educational needs has moved on. The approach now uses a definition of "additional support needs" which is very broad and encompasses more than a third of pupils and feasibly, at one time or another, could apply to every pupil. For the very large majority of pupils with or without ASN mainstreaming is not likely to be a question relevant to their education.

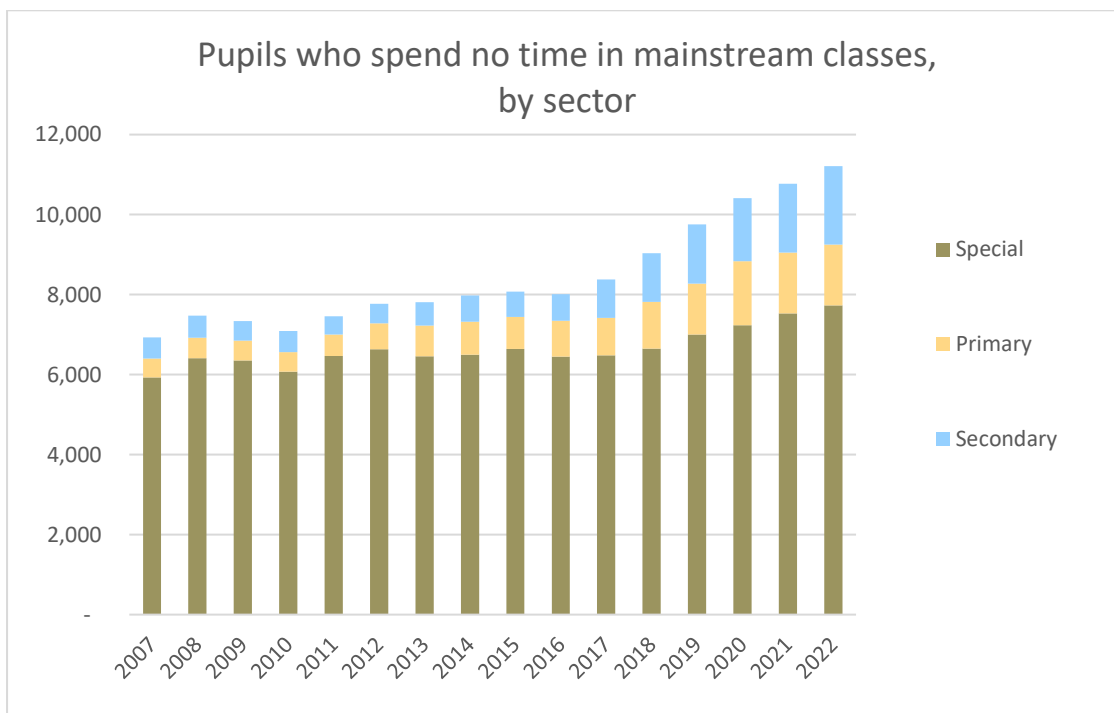
However, the growth of ASN units within mainstream schools makes the concept of the presumption of mainstream education somewhat more nuanced. The [statutory](#)

[definition of a](#) “special school” includes either a school or “any class or other unit forming part of a public school which is not itself a special school” but is especially suited to the additional support needs of pupils. The charts below show the number of special schools in Scotland and the number of pupils who spend none of their time in mainstream classes.



Scottish Government, Pupil Census

*Special schools with no pupils have been excluded from these figures from 2018 onwards. Figures for previous years have not been revised to reflect this change.



Scottish Government, Pupil Census

In considering these data we should note that the Government cautions that “there is not always a clear distinction [in the data collection] between special schools and special units or classes within a mainstream school.” There is long term decrease in the number of special schools reported in the national statistics and at the same time an increase in the number of pupils who spend no time in mainstream classes in all three sectors.

The total school roll across primary, secondary and special sectors in 2022 was around 706,000. Around 1.6% of pupils spent no time in mainstream classes that year. 34% of all pupils in 2022 had at least one identified additional support need. The chart above shows the number of pupils who spend all of their time outside of mainstream classes. A small number of special school pupils spend part of the time in mainstream classes. In the secondary sector the number of pupils who spend part of the time in mainstream settings has increased substantially since 2016; from 1,603 to 4,577 in 2022.

2019 Guidance

In 2019, the Scottish Government published [guidance on the presumption to provide education in a mainstream setting](#). This guidance says that mainstreaming “must be delivered within an inclusive approach.” The guidance reiterates the “four key features of inclusion” which are set out below along with “key expectations” that the guidance set out under each feature.

- Present
 - All children and young people should learn in environments which best meet their needs
 - All children and young people should be fully engaged in the life of their school, through the inclusive ethos, culture and values of the school
 - All children and young people should receive a full time education including flexible approaches to meet their needs
- Participating
 - All children and young people should have their voices heard in decisions about their education. Including decisions on where they learn
 - All children and young people will have the opportunity to participate and engage as fully as possible in all aspects of school or early learning and childcare life, including trips and extracurricular activity
 - All children and young people should be enabled and supported to participate in their learning
 - Children and young people with capacity are able to exercise rights on their own behalf.

- Achieving
 - All children and young people should be achieving to their full potential
 - All children and young people should have access to a varied curriculum tailored to meet their needs
- Supported
 - All children and young people should benefit from the ethos and culture of the school, inclusive learning and teaching practices and relationships
 - All children and young people should be given the right help, at the right time, from the right people, to support their wellbeing in the right place
 - All children and young people should be supported to participate in all parts of school life
 - All children and young people should be supported to overcome barriers to learning and achieve their full potential

The guidance identified eight “areas that are crucial in helping to develop inclusive practice in schools and early learning and childcare settings”. These are—

- Inclusive school values and ethos;
- Leadership;
- Constructive challenge to attitudes;
- Evaluation of planning process;
- Capacity to deliver inclusion;
- Parental and carer engagement;
- Early intervention, prevention and strong relationships;
- Removal of barriers to learning.

The guidance notes that choices about the type of education best suited to a pupil includes all the time in mainstream or specialist settings, or a mix of both. It also provides guidance on how to interpret the three statutory exceptions to the presumption of mainstreaming (outlined above).

Getting it right for every child

GIRFEC is intended to provide a “consistent framework and shared language for promoting, supporting, and safeguarding the wellbeing of all children and young

people.” It is intended to use an ecological model which says that child development “is influenced by the relationships they have with their parents, then by school and community environment, then by wider society and culture.” GIRFEC is intended to support different services to work together to support the child and their family. GIRFEC principles will inform schools’ considerations of how to support a child or young person. This may be support provided only by the school or by other statutory or third sector services. Schools may also use GIRFEC planning mechanisms – normally a Child’s Plan – although other plans may be used instead or as well.

2023 Pupils with complex additional support needs: research into provision

In September 2023, the Scottish Government published research into “policy, practice, partnerships and the perspectives of parents, carers, children and young people in Scotland to explore the ways that pupils with complex needs are supported”. The context of this work was that it was undertaken 10 years after the publication of the Doran Review. The intention was that this research would help to inform Government policy and delivery to improve the educational experiences of children and young people with complex additional support needs. The Government has a [10-year \(2017-2026\) strategy on learning provision for children and young people with complex additional support needs](#). This includes work on “National Strategic Commissioning” for a variety of services and research.

The research report reflects the 10-year strategy and notes that “complex additional support needs” is difficult to define. Rather it uses a “working description” which is where a child has a CSP, a child who does not have a CSP but has been assessed as stage 3 or 4 by a local authority under a recommended staged intervention model; or those pupils that attend a grant aided or independent special school. The themes of the research closely match the themes from the Committee’s call for views for the current inquiry. The research had four themes, and it also identified some cross-cutting themes, which are set out below.

Policy:

- The research found that most school staff and parents had a high awareness of national policies relating to the support of children and young people with complex additional support needs
- Most participants believed that the intent of these policies is positive
- Some participants highlighted a perceived conflict between GIRFEC and the presumption of mainstream education

Practice:

- Staff and relationships are reported by most parents, children and staff to be a key factor in enabling children and young people with complex additional support needs to thrive. This spans the relationships between school staff and the individual children they work with, school staff and families, and between school staff. Additionally, this includes leadership, which is seen as key to

cultivating a supportive culture that many school staff respectively reported as key to enabling positive experiences for children and young people.

- Practice varies across Scotland, and this is perceived by some parents as a 'postcode lottery'
- Many school staff and some pupils raised the importance of physical environment. Access to quiet spaces and to the outdoors to enable self-regulation were highly valued by both staff and children and young people.
- Many children and young people, parents, carers and staff reported the benefits when children and young people are able to have supported access to the local community. However, there were some reports of reduced ability to access the local community.

Partnerships:

- Positive experience of partnerships and teams around a child in early years settings
- Perception of less access to specialist support from educational psychologists, speech and language and occupational therapists in recent years

Perspectives of parents, carers, children and young people:

- Positive relationships with staff and a supportive friendship group at school were important factors in children's positive experience of school
- Positive experiences of transition support were reported

In addition, the research identified a number of cross-cutting themes:

- A perceived reduction in resources:
 - Many teachers, support staff, senior school staff, parents and stakeholders raised challenges experienced as a result of a perceived reduction in resources. This encompassed barriers to the implementation of policy, access to physical resources such as transport or specialist facilities, or changes in practice as a result of a reduction in staffing levels. It also included reduced access to partners from other sectors such as health. This is coupled with a perceived increase in the complexity of children and young people's needs, which was reported by many school staff, parents/carers and system stakeholders.
- The importance of staff:
 - Staff at every level were reported as integral to positive environments and experiences for children and young people with complex additional support needs.

- Many participants involved in partnership working reported that individual staff make the biggest difference in how effectively partnerships work.
- Placements:
 - There was a perception amongst some parents and school staff that national policy regarding placements is not always implemented as it is intended. It was reported by some parents, staff and pupils that a successful or unsuccessful placement has wide repercussions on individual children, other pupils in the same placement, and families.
- The importance of training:
 - There was recognition by participants of the positive impact that training can have, but also of the challenges in accessing it
 - There was also recognition amongst many staff of the value of learning from peers and children and young people

The report concluded that “policy alone cannot deliver positive outcomes for children and young people”. The report said that it had found “many examples of good practice that have enabled children with complex additional support needs to flourish”. These examples were found across different settings and “notable examples include where specialist provision was co-located with a mainstream setting, and integration was consistently occurring between these settings.” The report argued for a tailored and flexible approach to meet the needs of children with complex needs. The report identified four themes that are integral to delivering such an approach. These were:

- Resourcing, in particular in relation to staffing;
- The brilliant, committed and supportive nature of staff surrounding pupils;
- Where children are placed for their schooling; and
- Robust training for all providers who interact with children with complex additional support needs.

The Scottish Government has not formally responded to this report. The [Government has said that the findings](#) of the report will inform ongoing work.

Morgan Review

In 2020, the Scottish Government published [Angela Morgan’s review of the implementation of the additional support for learning](#).

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)

The Review was concerned with 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)

Ms Morgan gave evidence to the Session 5 Committee on her report on [8 November 2020](#). She 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
- 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.

Following the Morgan Review, the Scottish Government and COSLA agreed to an Action Plan to take forward the recommendations. The Government has published updates on the Action Plan in [October 2021](#) and [November 2022](#).

Covid and its impacts

The Committee has heard about the continuing effects of Covid and the policy responses on children and young people. For example, a submission prior to the session on behaviour in schools on 14 June 2023 from Dr Joan Mowat along with Dr Gale Macleod 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. There is general consensus that the pandemic has served to exacerbate existing inequalities with the most vulnerable CYP being most at risk from long-term effects.”

During the Committee’s work on behaviour in schools, several witnesses identified the pandemic as a potential cause for increasing levels of distressed and unacceptable behaviour in schools. The EIS’ submission to that meeting said that its members had seen greater levels of distressed behaviour from young children in P1 and P2.

[In February 2023, the Committee received a letter from the Royal College for Speech and Language Therapists](#) which 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 wellbeing of pupils. This 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.

Statutory remedies and parental involvement and engagement

The session 5 [Education and Skills Committee’s legacy report](#) stated that its successor committee may wish to explore “the operation of and access to ASN tribunals”. This inquiry has been drawn more widely, looking at the range of statutory remedies parents/carers and pupils in relation to ASL.

Teachers, schools and local authorities ought to seek to ensure that the parents/carers of pupils are involved and engaged with their child’s learning and with the school community. Parental involvement is about the ways in which parents can

get involved in the life and work of the school. Parental engagement is about parents' and families' interaction with their child's learning. Parental engagement is a "key driver" in the National Improvement Framework and Improvement Plan. In 2022, [Education published a Strategic Framework for Parental Involvement, Parental Engagement, Family Learning and Learning at Home](#) and all teachers are expected to "establish opportunities for parents/carers to participate in decisions about their child's learning" under the GTCS' Standard for Full Registration.

ASL Plans

For children with complex additional support needs, there is likely to be a formal planning process and parents/carers and pupils should be meaningfully involved in that process.

In 2022, the 241,639 children who had an identified additional support need, 1,401 had a co-ordinated support plan, 32,898 had an Individualised Educational Programme, and 49,200 had a Child's Plan. Pupils could have more than one plan.

Co-ordinated support plan

The only statutory plan in school education is the Co-ordinated Support Plan under the 2004 Act and associated regulations. 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 (more on this below). The [statutory guidance on the 2004 Act states](#) that local authorities must "seek and take account of the views of children and their parents, and young people themselves" throughout the process of determining whether a CSP is required and then developing the CSP. CSPs must contain (among other things):

- the education authority's conclusions as to the factor or factors from which the additional support needs of the child or young person arise
- the educational objectives intended to be achieved taking account of those factors
- the additional support required to achieve these objectives
- details of those who will provide this support.

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

- culture and relational approaches

- the availability and accessibility of information and guidance for children, young people, parents, carers and professionals
- 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

Individualised Educational Programmes

Individualised Educational Programme (IEP) is a tailored, individualised plan or programme of support which is expected to last up to a year. Learning targets within the plan are usually of multiple months or termly duration and this plan is reviewed. This plan may also be known as an additional support plan, or other similar name. The ASL statutory guidance states that an IEP is single agency plan to ensure that supports from the resources within the school or education authority are put in place to meet the pupils' needs.

Child's Plan

Child plans are single or multi agency plans based on an assessment guided by the Getting it Right for Every Child National Practice Model. Again this is a non-statutory plan.

[Guidance](#) states that "all decision-making regarding a child's plan within GIRFEC should seek, have regard to and act on the views of the child or young person and their family." The child's plan should set out:

- which services or people will provide support
- who is accountable for that support; and
- the way in which that support will be provided

Dispute resolution

Where disputes arise, there are a number of statutory provisions to support dispute resolution and remedies.

These are—

- Right to have a 'supporter' present in discussions or an 'advocacy worker' make representations to the local authority, the local authority does not have to pay for this. (s.14 2004 Act)
- Right to an advocacy services, free of charge, for those taking cases to the Additional Support Needs Tribunal (s.14A)
- Independent mediation, free of charge (s.15)
- Independent adjudication, free of charge (regulations under s.16)

- A Tribunal for certain issues involving Co-ordinated Support Plans, placing requests and disability discrimination cases under the Equality Act 2010. (s.17). The full list of grounds for references to the Tribunal are given in s.18 of the 2004 Act.

The Scottish Government provides support to Enquire which is the national service which provides advice and information about additional support for learning legislation and guidance for families and professionals.

Ned Sharratt, Senior Researcher (Education, Culture), SPICe Research 9 February 2023

Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.

The Scottish Parliament, Edinburgh, EH99 1SP www.parliament.scot

ANNEXE B

Response to the call for views from EIS

Introduction

The Educational Institute of Scotland ('EIS'), the country's largest teaching union, representing almost 65,000 members across all sectors of Education and at all career levels, welcomes the opportunity to respond to the Education, Children and Young People Committee's Call for Views on Additional Support for Learning ('ASL').

For long, the EIS has campaigned for increased resourcing of ASL to bridge the gap between policy and practice in our schools and for a long-term resourcing strategy – including action to reduce class sizes and significantly enhance the availability of specialist ASL support and expertise within schools – to match the scale of the promise to children and families made within the Education (Additional Support for Learning) (Scotland) Act almost two decades ago.

Over the course of the pandemic, we have seen the level and complexity of additional support needs in the children and young people in our schools grow, whilst poverty continues to extend its crippling grip across families in Scotland, intensifying in the midst of the cost-of-living crisis, with hunger, fuel and digital poverty now impacting one in three children in some areas. Over this period, Scotland's teachers have been on the front line, working relentlessly to meet the holistic needs of children and young people in their classes, often having to provide much needed support whilst their pupils sit on lengthy waiting lists to access specialist services. And despite highlighting these challenges through responses to parliamentary inquiries and a range of consultations, including those on education reform, and repeatedly citing the need for additional investment in core education funding, as well as in partner agencies to implement early intervention measures, no meaningful change has been forthcoming.

Against this backdrop, our members are exhausted, trying to balance the competing and unrealistic demands placed on them in the classroom. The current climate, of under-investment in ASL, is now having an impact across the whole learning population and is detrimental to the wellbeing of children and young people; the wellbeing of teachers; and the educational experience for many pupils. Successive EIS meetings, EIS member surveys, including our recently published Violence and Aggression National Branch Survey Report¹, and even discussions on Pay Attention picket lines have identified that supporting ASN, along with tackling excessive workload and pupil behaviour, are the issues of greatest concern to them and as a result, feature as the three pillars of our Stand Up for Quality Education Campaign.

¹ [Violence & Aggression Branch Survey Report and Campaigning Recommendations: F \(eis.org.uk\)](#)

The Institute is not alone in highlighting concerns about the funding of ASL. Indeed, the final report² by Professors Alma Harris and Carol Campbell, emerging from the National Discussion, sends a strong message to the Scottish Government, calling for *'adequate sustained funding to provide staffing and specialist resources to be able to achieve the commitment to inclusivity and [meet] the needs of each learner, with a particular urgency for children and young people identified as having Additional Support Needs'* (emphasis added).

They go on to acknowledge that despite the current budget constraints and austerity, *'there is an urgent need to review and improve approaches to ensuring adequate, secure, and sustainable funding to provide staffing, specialists, and necessary resources to fully achieve the aspirations of meeting individual needs and an inclusive system'*.

The Humanly Report³, independent research commissioned by the Scottish Government and published in September 2023, examines the provision for pupils with complex additional support needs and again focuses on the imperative of resourcing to deliver inclusive education. Despite this clear recommendation, in her letter to the Education, Children and Young People Committee⁴, the Cabinet Secretary made no reference to resourcing as part of the Government's response to this research.

We cannot ignore this report's conclusions:

'What is clear, and not new; the needs of children with complex additional support needs are incredibly varied, and a tailored and flexible approach is required to meet their need and enable them to flourish at school. This research has identified four themes that are integral to delivering inclusive and tailored approaches to all children and young people. These include:

- *Resourcing, in particular in relation to staffing;*
- *The brilliant, committed and supportive nature of staff surrounding pupils;*
- *Where children are placed for their schooling; and*
- *Robust training for all providers who interact with children with complex additional support needs.'*

The evidence is clear and the call for sufficient and immediate resourcing of ASL overwhelming. We now need the Scottish Government to act, for the children and young people in our schools, for their families and for our teachers and school staff.

Against this backdrop, the Institute welcomes this inquiry into ASL and has the following comments to offer:

² All Learners in Scotland Matter - [*All Learners in Scotland Matter: The National Discussion on Education Final Report \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/collections/all/all-learners-in-scotland-matter-the-national-discussion-on-education-final-report)

³ Research into Provision for Pupils with Complex Additional Support Needs - [1 \(www.gov.scot\)](https://www.gov.scot/resources/consultation-papers/collections/all/research-into-provision-for-pupils-with-complex-additional-support-needs)

⁴ [SG - Gaelic - Cabinet Secretary for Education and Skills \(parliament.scot\)](https://www.parliament.scot/sg-gaelic/cabinet-secretary-for-education-and-skills)

Implementation of the Presumption of Mainstreaming

The presumption in favour of ‘mainstreaming education’ strengthened the rights of pupils to be included alongside their peers, with the four key features of inclusion as present, participating, achieving, and supported.

- *To what degree do you feel the presumption of mainstreaming successfully delivers on inclusive education for those pupils requiring additional support?*

Scottish Education is not currently delivering inclusive education consistently for children and young people in our schools. Despite the best efforts of teachers and school staff who work hard every day to try to ensure that children enjoy and achieve at school, the rising level and complexity of additional support needs, in the context of austerity and decades of cuts, is adversely impacting inclusive practice.

However, the wording of the question implies that the success or failure of delivering inclusive education is linked directly to the presumption of mainstreaming, the suggestion being that if education is not inclusive, then the principle of mainstreaming is flawed. The EIS would urge caution with this narrative and highlight the importance of separating the principle and policy of the presumption of mainstreaming from its implementation in practice.

The EIS is clear that the presumption of mainstreaming, *if resourced appropriately, can successfully deliver inclusive education for pupils with additional support needs* (‘ASN’).

The presumption that, children and young people will be educated alongside their peers in their local schools, where appropriate, is sound. Special Schools and Special Units also have an important and valuable role to play, in more appropriately meeting the needs of pupils for whom mainstream provision may not be a suitable setting. *However, crucially, to be effective, both must be adequately resourced.*

Education is a human right, a public service and a public good, which enables all children to meet their potential. However, the vision of a truly inclusive society and education system is threatened by austerity and the lack of proper funding. Considerable investment is needed to ensure that we ‘get it right for every child’. Sustained effort is needed to ensure that teachers are able to work effectively, safely and with the right support to do their job well. Scotland’s children and Scotland’s teachers deserve a system where promise meets practice, not ‘mainstreaming on the cheap’⁵.

In order to deliver an education to all children that is inclusive, schools must be sufficiently staffed and resourced to ensure that each child’s needs are known to teachers. Class sizes must be smaller to allow teachers to meet those needs. The

⁵ [ExploringTheGap.pdf \(eis.org.uk\)](https://www.eis.org.uk/ExploringTheGap.pdf)

correlation between additional support needs and pupil maxima is already established in the SNCT Handbook in relation to special schools and units. The increased level of additional support needs in mainstream must therefore translate into smaller class sizes in mainstream settings also. In addition, each member of staff must have access to, and protected time for training, be afforded the time to plan how to meet the diverse needs of pupils and must be able to access the expertise of specialist colleagues when needed.

The Imperative for Additional Resources

Prior to the COVID-19 pandemic, the EIS was campaigning strongly in relation to the chronic under-resourcing of ASL provision, which has been subject to swingeing cuts over the past decade or more, against a backdrop of increasing poverty-related need, and large class sizes.

We raised these concerns in 2017 in evidence given to the Scottish Parliament's Education and Skills Committee Inquiry into ASL, and in the final report, the Committee acknowledged:

'A strong theme of evidence from parents and teachers...was the gap between the experience envisaged of inclusive education and the experience of the children they supported in practice' and the 'lack of resources, specifically staff, was regularly cited'.⁶

In 2019, the Scottish Government published research on ASL, which found that most local authority officers felt that there was still more to do to improve the balance of ASL provision, including developing the resources available in mainstream schools in terms of money, staff and facilities, and being able to recruit specialist teachers and support staff. The research states that

'In some areas, there was a clear feeling from local authority officers and schools staff that there was not enough resources to meet needs – particularly in mainstream schools'.⁷

Since the pandemic, we have only seen additional support needs rise and therefore, the imperative for additional funding become even more urgent.

- ***Rising Levels and Complexity of ASN***

- (i) *Rising Need in the Children and Young People with ASN*

In 2023, 37% of the school population were identified as having an additional support

⁶ [How is Additional Support for Learning working in practice? \(azureedge.net\)](https://www.azureedge.net)

⁷ [Additional Support for Learning: Research on the Experience of Children and Young People and Those That Support Them \(www.gov.scot\)](https://www.gov.scot)

need compared to only 6.5% in 2009. This latest statistic also represents a 2.8% increase in the number of pupils with ASN in our schools over the last year.

Although more detailed information about the type of provision, which these pupils accessed, will not be available until March 2024, we know from the Summary Statistics for Schools in Scotland that in 2022 the presumption of mainstreaming resulted in 95% of pupils with ASN spending some, or all of their time, in mainstream classes⁸.

In 2022, over a quarter of all primary school children (28%) were identified as needing additional support within mainstream settings. In secondary schools, there were over nine times as many children with additional support needs in 2022 than in 2007: 123,854 compared with 13,357⁹.

As well as seeing rising levels of additional support need, we have also seen the complexity of that need increase, as children and young people have grappled with the impact of the pandemic. Societal issues such as poverty and substance dependency have also had a bearing. The PISA results 2022 published earlier this month highlighted that 11% of 15-year-olds in the UK reported skipping a meal at least once a week because there was not enough money to buy food¹⁰. This compared to an OECD average of 8%. This significant level of poverty-related hunger has an impact on concentration, learning and behaviour. The Behaviour in Scottish Schools Research (2023) also reported an increase in reports of secondary teachers encountering pupils under the influence of drugs or alcohol at least once a week. This figure has jumped from 5% in 2016 to 16% in 2023¹¹ and demonstrates an unmet additional support need in these young people.

Critically, factors such as these which exemplify the rise in demand for support has not been reflected in resourcing.

(ii) *Rising Need: More Mental Health Issues*

An EIS report published in 2019 highlighted that one in ten children and young people aged five to sixteen has a clinically diagnosable mental illness.¹² In 2018, it was reported that there had been a 22% increase in the number of referrals received by specialist services since 2013/14. This increase followed on from a sharp rise in the identification of mental health conditions in children in the preceding years.

The Mental Health Foundation reports that 20% of adolescents may experience a mental health problem in any given year¹³. It has also reported on the mental health challenges experienced by various groups of young people facing extra difficulties,

⁸ [Pupil+census+supplementary+statistics+2023+-+December.xlsx \(live.com\)](#)

⁹ [Pupil+census+supplementary+statistics+2023+-+December.xlsx \(live.com\)](#)

¹⁰ [a97db61c-en.pdf \(oecd-ilibrary.org\)](#)

¹¹ [Behaviour in Scottish schools: research report 2023 - gov.scot \(www.gov.scot\)](#)

¹² [ExploringTheGap.pdf \(eis.org.uk\)](#)

¹³ [Children and young people: statistics | Mental Health Foundation](#)

including teenage girls, young people with learning disabilities, looked after children, young carers and LGBT young people.

Since the pandemic we have seen only seen the number of children and young people, requiring support for their mental health, rise. Teachers supporting older children and young people have attested to the mental health challenges which they face and for which there is insufficient immediate or timely support.

Unsurprisingly, the data gathered from the Health and Wellbeing Census Scotland 2021/22¹⁴ confirms this evidence. Analysis of the data indicates that positive mental health and wellbeing decreases as children become older, with clear differences by sex and deprivation.

Girls have less positive perceptions than boys across aspects of life; from perceptions of schools and pressures of schools work; feeling positive about their future; being worried about perceptions of their body image, sleep, diet and physical activity; and having trusted adults to whom they can talk.

Whilst the level and complexity of need created by poor mental health is rising, the support remains inadequate and teachers and school staff are often left to support children and young people, while they wait for lengthy periods to access specialist services.

(iii) *Rising Need: the Impact of the Pandemic*

All children and young people have been affected in some way by the pandemic. Confinement, restricted social interaction, illness, bereavement, poverty and food insecurity will all have made their mark to varying degrees on individuals, families and communities.

For children in the early stages of primary, they would have missed, over the periods of lockdown, the opportunity to attend Early Learning and Childcare settings; to make friends with children of their own age; and to develop vital social skills, such as sharing and even how to play cooperatively. They would also have missed the opportunity to participate in vital transition opportunities, as they prepared to enter primary education. EIS members from various local authorities have reported an increase in the number of children presenting with delayed development or minimal speech and language acquisition on arriving in primary 1. It is perhaps unsurprising, therefore, that there has been an increased level of distressed behaviour in this cohort of children as they struggle to communicate an underlying need verbally and in socially acceptable ways. We also know that families living in poverty were amongst the hardest hit by the pandemic and reports highlight the growing numbers of children who are now attending school with serious health concerns, such as malnutrition and rickets.

¹⁴ [HWB+Census+2021-22+-+publication+-+2023+-+key+findings.docx \(live.com\)](#)

Furthermore, an entire generation of young people in our secondary schools have had their personal, social and emotional development seriously inhibited during repeated lockdowns and many struggle to express their feelings, with anger, confusion and frustration manifesting itself through violence and aggression. It is no surprise that almost three quarters (72%) of the responses to our recent Violence and Aggression National Branch Survey reported that violence and aggression had ‘increased significantly’ over the last four years.

There have been numerous reports of the increased level and severity of additional support needs since the pandemic. The Report on Children and Young People’s Health and Wellbeing, published by the Scottish Parliament’s Health, Social Care and Sports Committee, on 13th May 2022¹⁵, outlines the negative impact which the pandemic has had on the mental health of children and young people and suggests that the full extent of this impact and how long-lasting it will be, have yet to be fully understood.

In setting out its recommendations in the report, the Committee sought assurances from the Scottish Government that the long-term impact of COVID-19 would form an integral part of the future design and development of mental health services and support for children and young people. Whilst there has been investment in CAMHS and counselling services, to address the delays in accessing provision, its impact has yet to be seen, as need increases and waiting lists continue to grow. These delays, however, have a direct impact on learning, behaviour and attendance and place even greater pressures on school staff, particularly those in pastoral care and management, who are left to respond to young people’s needs in lieu of the specialist support needed. They do this, whilst also delivering on their core remits, which include supporting the wellbeing of all learners.

The EIS has been clear with the Scottish Government that Education Recovery would need significant investment to meet these needs, not the ‘business as usual’ approach which we quickly saw emerge.

(iv) *Rising Need: the Impact of Poverty*

(v)

One in four children in Scotland lives in poverty, with the numbers rising to one in three in some areas. This is strongly linked to having additional support needs. The Growing Up in Scotland study found that there was a notably higher prevalence of additional support needs amongst children living in the two most deprived quintiles. This was apparent for both boys and girls, with boys in the most deprived quintiles reporting rates of nearly twice the average.¹⁶

One study found that 7.3% of children from the most deprived areas had mental health difficulties at the start of school, rising to 14.7% in primary three. The Mental Health

¹⁵ [Health and Wellbeing of Children and Young People | Scottish Parliament](#)

¹⁶ [Growing Up in Scotland: Early experiences of Primary School \(www.gov.scot\)](#)

Foundation reports that children in the lowest income quartile are 4.5 times more likely to experience severe mental health problems than those in the highest.¹⁷

A 2018 Audit Commission report on child mental health¹⁸ stated that children living in low-income households are three times more likely to suffer mental health problems than their more affluent peers.

The link between poverty and poor mental health has been recognised for many years and is well evidenced.¹⁹ The Mental Health Foundation Report, 'Tackling Inequalities' considers the relationship between socioeconomic inequalities and mental health issues, highlighting growing evidence that supports a link between Adverse Childhood Experiences ('ACEs') and poor physical and mental health outcomes. ACEs have been found to account for 29.8% of mental health disorders. They are thought to create chronic stress, which then leads to problems with child development; these problems, in turn, lead to health-harming behaviours and poor mental health.

The overwhelming evidence between the adverse impact of poverty on educational outcomes and life opportunities cannot be ignored and urgent action is needed to provide equity for all.

(vi) *Rising Need: Violence and Aggression*

The Behaviour in Scottish Schools Survey published on Tuesday, 28th November 2023 confirms that incidents of violence, aggression and disruptive behaviours in Scotland's schools have risen significantly over the past few years, with worrying evidence to suggest a new increase in misogynistic views, attitudes and behaviour by male pupils. The latest PISA results also show that 35.8% of Scottish pupils have witnessed a fight on school property in which someone was hurt, compared to the OECD average of 17%²⁰.

These results align strongly with the findings from the EIS Violence and Aggression Survey. In that report, 83% of respondents reported incidents of violence and aggression every single week, with 72% indicating that incidences of violence and aggression have grown over the past four years.

The report also makes a clear link between the unmet needs of pupils with ASN and incidents of violence and aggression, with 94.3% of branches highlighting that unmet need exacerbates this behaviour. With 92.3% of special school branches also citing the correlation between the two, it would appear that the issues around meeting the needs of learners is prevalent in those settings, in the same way as in mainstream schools.

The survey provided an opportunity for respondents to leave comments, with many

¹⁷ <https://www.mentalhealth.org/statistics/mental-health-statistics-poverty>

¹⁸ http://www.audit-scotland.gov.uk/uploads/docs/report/2018/nr_180913_mental_health.pdf

¹⁹ [MHF-tackling-inequalities-report.pdf \(mentalhealth.org.uk\)](https://www.mentalhealth.org.uk/mhf-tackling-inequalities-report.pdf)

²⁰ [Summary | PISA 2022 results \(oecd.org\)](https://www.oecd.org/pisa/2022-results/)

highlighting members' frustration at the under-resourcing of ASN provision:

'So many young people receiving minimal support for conditions that can lead to emotional dysregulation (for example) and being expected to manage this in a class of 30 without any additional support in the class. Not enough PSAs to go round. Teachers not having the time or space in their timetable to offer individualised support themselves. Lots of young people with undiagnosed conditions due to NHS waiting lists for CAMHS.'

'More children with more complex needs and less support and less resources in an environment not equipped to meet their needs.'

'A lot of our incidents are made worse because our continually increasing amount of children with ASN have unmet needs.'

Some members also highlighted the added difficulties in trying to de-escalate behaviours with children and young people with more complex ASN whilst also trying to teach the full class:

'Practice, nurture, RRS and understanding distressed behaviours guidance. On one hand we are encouraged to support and understand all behaviour as communication, however, when the behaviour is threatening or violent, can it be considered acceptable? Members broadly feel issues with unmet needs exacerbate extreme behaviours, and often those needs make de-escalation difficult when also dealing with a full class.'

With 99% of branches indicating that poor pupil behaviour is having a detrimental impact on the learning experience of pupils in schools and almost all branches reporting an increase in stress, anxiety and depression in teachers, the Scottish Government cannot ignore this evidence. It must take urgent action to address the underlying unmet needs which are laid bare in these reports and make schools safe places for pupils to learn and teachers to work.

It is clear, therefore, that additional support needs are increasing and becoming more complex for a variety of reasons. Against this backdrop, inclusive practice is thwarted by underinvestment in education.

- ***Underinvestment in Education***
- *Decline in Specialist Teachers*

The EIS has long raised concerns over the systemic under-resourcing of education, particularly ASL, the dramatically declining numbers of specialist staff and unsustainably large class sizes, leaving significant gaps in provision to be filled by class teachers.

Teacher census data shows that there are too few staff working in ASL and that the general trend over recent years has been a decline in staff with specialist roles, e.g. Behaviour Support, English as an Additional Language ('EAL') or Learning Support. Scottish Government statistics demonstrate that across Scotland, ASN teacher

numbers fell in 22 out of the 32 local authorities over the period 2010 to 2022. In 2010, there were 3,524 Full Time Equivalent ('FTE') ASN teachers²¹ across all local authorities falling to 2,843 FTE in 2022²² – a loss of 681 FTE teachers or a staggering 19% decrease in provision, at a time when the number of children and young people with an identified ASN in Scotland's schools had increased by almost 24%²³.

- *Overburdened Teaching Staff*

Teachers have excessive workloads, which militates against them being able to meet the needs of every child to the extent they would wish.

Successive EIS member surveys on workload have demonstrated the extent of the problem and the 2023 survey was no different:

- Almost three quarters of respondents (71%) are dissatisfied with their workload levels
- Almost 70% of respondents reported working more than 5 hours extra a week, with almost 60% of them (40.7% of respondents) stating that they worked more than 8 hours on top of their contracted hours.
- 72.5% of respondents were stressed all of the time or frequently (19.7% and 52.8% respectively).

When asked to what extent they felt they had time in a typical working week to complete paperwork, liaise with colleagues and external agencies and attend meetings in relation to supporting pupils with ASL (all cornerstones of GIRFEC policy), 77% of respondents indicated that they rarely (53.4%) or occasionally (23.5%) had time to do this.

There was an opportunity for members to share comments under this question and overwhelmingly, members reported that they could not complete the tasks listed because they were too overstretched. Finding time for meetings was a key pressure and many members said that there was an expectation that the workload associated with ASL be completed in non- working hours.

These are a selection of the comments made:

- *'There just never is enough time to do everything I need to do. The demands are endless, the workload is completely unmanageable. I was planning on handing my notice in at the end of this academic year due to the effects of the stress, however the cost of living crisis has made me realise I have no choice but to stay. I am now working on survival strategies to protect my health.'*

²¹ ASN teachers described by the government as teachers whose main subject is Learning Support Primary and Secondary; ASN; ASN Behavioural Support; ASN Learning Disabilities; Hearing impairment; Visual Impairment; or English as an Additional Language.

²² [Teacher+Census+Supplementary+Statistics+2022+V2.xlsx \(live.com\)](#)

²³ [Pupils+Census+Supplementary+Statistics+2022+V2.xlsx \(live.com\) – table 6.7](#)

- *'This usually falls outwith contracted hours as you can't complete what's necessary to teach a class within 35 hours, never mind all that goes with supporting children with additional needs.'*

When asked to identify what would make the biggest impact in reducing their workload, 60% of all respondents said that more classroom assistants or support for inclusion and pupils with ASN would make a big impact. This was followed by smaller class sizes (51%) and less bureaucracy (49%).

One member summed this up in the following:

- *'There are far too many 'priorities' and meetings to discuss meetings/meetings for training when we just need to be able to teach the pupils in front of us. Also large class sizes (32/33) with a wide range of pupil needs (EAL, dyslexia, behaviour, ASN, socio-emotional, SIMD 1/2) makes it very difficult for one teacher to meet all needs all the time regardless of how much time, effort and preparation is put in to meet all those needs.'*

When members were asked what would make the biggest impact in improving their wellbeing at work, more than half of all respondents said more classroom assistants/support for inclusion and pupils with ASN. This was the top response in all sectors apart from secondary education which indicated improved pupil behaviour in the classroom.

Our members have reported that moving to a crisis-led role, with less time for preparation of learning and teaching materials and with the workload burdens outlined here, make them more likely to leave teaching, due to stress and unreasonable expectations. In our 2023 member survey, those who indicated that they were contemplating leaving the profession in the next five years, cited workload, resourcing and abusive behaviour as the motive to leave.

With the global shortage of teachers and of subject specialists in secondary education, losing qualified, experienced teachers from the profession is even more worrying. It adds to the workloads of others, damages morale across the school community and impacts negatively on the potential of delivering inclusive education.

- *Decline in Learning Support Assistants*

In addition to there being too few teaching staff and classroom assistants who would traditionally support teachers, there are also too few ASL assistants. Schools should have enough teachers, including those with ASN qualifications, to enable them to meet the needs of all children; but we firmly believe that provision should also be augmented with learning support assistants who are appropriately skilled in addressing the diversity of additional support needs. Learning provision needs to be a partnership between teachers and specialist assistants, with teachers, as the most highly qualified professionals in the classroom, leading young people's learning; and assistants

contributing targeted support as needed.

Some schools no longer have any one-to-one support for pupils with additional support needs or specialist services. And even where a support base is attached to a mainstream setting, pupils can also miss out on their opportunity to attend mainstream classes for part of the time, because there are not enough pupil support workers to attend the session with that pupil. This impedes transition to mainstream from the young person involved.

On the occasions when support in the classroom is available, members highlighted, in our recent [Violence and Aggression Survey Report](#), that pupil support workers were often pulled away to help manage behaviour issues. Members report that this has presented significant challenge. Branches were asked what actions would best support all pupils and teachers in dealing with violent and aggressive behaviour. Increased support staff to support pupils with ASN was the most commonly recorded answer for both primary (75.5%) and special education branches (65.4%).

- *Too few Educational Psychologists*

There are far too few Educational Psychologists, which hinders the assessment of needs. Whilst we welcomed the agreement reached between the Scottish Government and COSLA in May 2018 for funding for trainee educational psychologists, to cover trainees' fees and living costs, there were only 11 more Educational Psychologists²⁴ employed in Scottish schools in 2022 than in 2012, when the level of additional support need was considerably lower. Teachers' experience in schools remains that access to Educational Psychologists is both infrequent and insufficient. Rather than working directly with children and young people, Educational Psychologists are more removed from schools, being asked to provide consultancy and develop and deliver training for teachers and school staff.

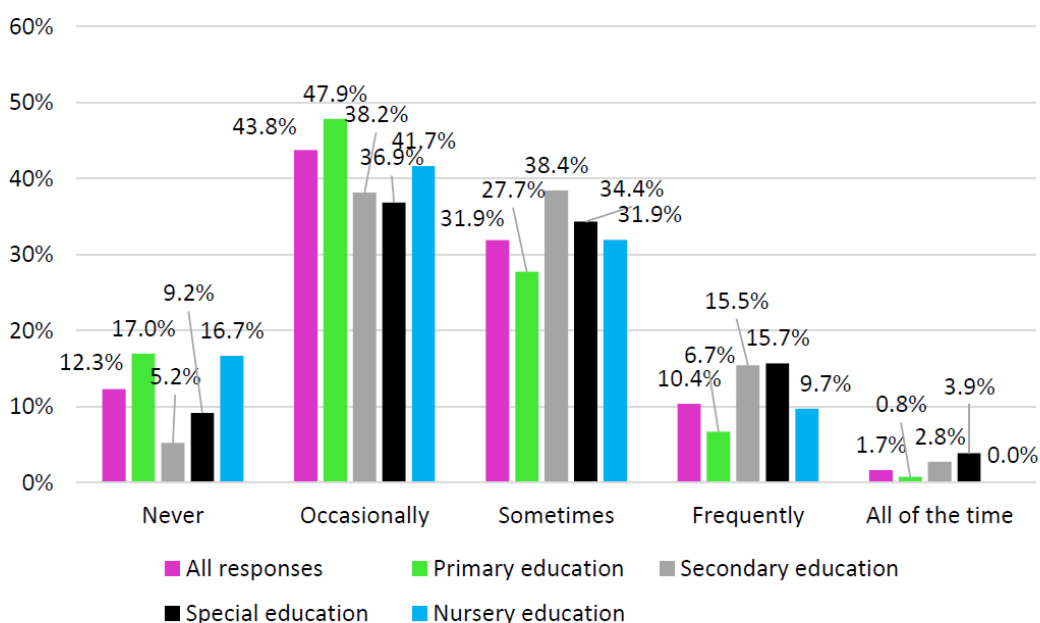
- *Cuts to Specific Services*

Some children's needs are best met when teachers can augment the support offered in the classroom with support from specialists such as English as an Additional Language ('EAL') teachers or Speech and Language Therapists. Under austerity budgeting, many of these services have experienced significant cuts. Members report increasing difficulty in referring children to the services they need to be fully engaged and involved in their education and even where they can access the service, the nature of the support has changed from direct engagement to one of consultancy for the class teacher. When direct support is offered, there can still be issues with accessibility, as some schools simply cannot afford the transport costs to take the young person to the service.

²⁴ [School+Support+Staff+Statistics+2022.xlsx \(live.com\)](#) – 398 in 2022 as opposed to 411 in 2012

In our 2023 all member survey, members were asked to what extent children and young people in their settings were able to access front line services, when the support need is identified. 12% of all respondents said they were never able to access front line services when the need is identified (17% in Primary and Nursery), and 44% said they could only access this occasionally at the point of first need (48% in Primary and 42% in Nursery). These figures are deeply worrying as this type of support is often vital to enable a child or young person to participate fully in education, as well as providing external support for any issues outside of school. If early intervention strategies which underpin ‘Getting It Right for Every Child’ are to operate effectively, immediacy of access must be secured.

Figure 11: To what extent are children and young people in your setting able to access frontline services at the point when the support need is identified? (by sector)



Total responses: 15,173²⁵

- *Delayed Identification of Need*

Not all additional support needs are medical or diagnosable in nature, but many are. In those cases, early diagnosis is helpful. The current lengthy delays between referral, diagnosis and receipt of post-diagnostic support, highlighted above and caused in part by the shortage in Child and Adolescent Mental Health Service (CAMHS) and

²⁵ There were 703 responses to the answer choice “not applicable” which have not been included in this graph. This figure represents all responses including those who ticked “not applicable” as an option.

Educational Psychology Services, are unhelpful to the child or young person, their family and teachers and school staff. With reports also highlighting the falling numbers of 27 month checks being completed by Health Visitors as a result of system capacity, opportunities for the early identification of needs will continue to be missed unless urgent action is taken.

GTCS registered teachers in nursery also play a key role in identifying and supporting children who require additional support for learning, in co-ordinating this support with the relevant agencies and in contributing to the multi-disciplinary team for GIRFEC purposes. We believe that the 56% decrease in the number of GTCS registered teachers in nursery since 2010²⁶ will also have contributed to this delayed identification of need.

- *Too Few Specialist Mental Health Services*

In the wake of the pandemic, it is clear the mental health and wellbeing of children and young people in Scotland, together with the underlying causes of ill health, continue to raise significant concerns. The mental health and wellbeing of girls, especially of adolescent girls, is particularly poor and deteriorating.

Although there are a range of support services available across Local Authority and Health Board areas for children and young people, access to these services is inconsistent, and many have to wait lengthy periods before receiving an appointment with the professional involved. Reports demonstrate that a total of 1,570 children had been waiting over a year for treatment at the end of 2021²⁷. Demand continues to outstrip capacity, not only in CAMHS but in other services designed to support the mental health and wellbeing of children and young people. Whilst there has been investment in CAMHS and counselling services, to address the delays in accessing provision, its impact has yet to be seen, as need increases and waiting lists continue to grow.

Access to mental health services should not be a postcode lottery. Now, more than ever, urgent action is necessary to ensure equity of provision and access to timely support for children and young people.

In commenting on the link between ASN and violent, aggressive and disruptive behaviour, one respondent to the EIS Violence and Aggression Survey highlighted the need for vital access to these services:

'The reason for this is due to the fact that staffing and resources are not available to meet the needs of these children. CAMHS waiting lists (156 weeks) for an appointment has a big impact on being able to support.'

²⁶ [Summary statistics for schools in Scotland 2023 - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/summary-statistics-for-schools-in-scotland-2023/pages/1613-teachers-in-ELC-in-2010-702-in-2023.aspx) (1613 teachers in ELC in 2010; 702 in 2023)

²⁷ [Waiting times grow for Scotland's child mental health services - BBC News](https://www.bbc.com/news/health-63444444)

- *Large Class Sizes*

EIS policy is that no class should exceed 20 pupils, while various circumstances in our view justify smaller groups (e.g. composite classes, classes featuring pupils with additional learning needs). In 2007, the SNP published its manifesto, pledging as a priority to introduce ‘smaller class sizes, starting with a reduction in the first three years of primary to 18 or less’.

Unfortunately, this was a promise undelivered and since then, we have only seen class sizes rise.

Evidence clearly indicates that smaller classes have a significant impact on the quality of the learning experience, the ability of teachers to respond to pupils’ needs, and on achievement and attainment. Many pupils with additional support needs, such as neurodiverse pupils, would benefit from smaller groupings. Quite simply, a smaller number of people in the room would reduce the amount of noise, movement and unpredictable action that many neurodiverse children find distressing, while enabling greater one to one support for individual children.

The overall average class size for primary has increased from 23.2 in 2021 to 23.3 in 2022. The average class size for P1-P3 increased from 23.0 to 23.1 between 2021 and 2022. The average class size for P4-7 also increased between 2021 to 2022 from 25.5 to 25.7.²⁸ However, despite these averages, over 10% of children in primary settings are in classes of more than thirty. Statistics on class sizes in the secondary sector are not collected as class size varies widely across subjects.

Every year the OECD produces a report on education systems across member states, including key information on class sizes and pupil teacher ratios. The 2023 *Education at a Glance*²⁹ OECD report highlights the average class sizes across key Member States. The United Kingdom figures refer to the English education system, and therefore no direct comparison can be drawn between Scottish class sizes and the OECD average presented in the report.

However, if we look at the Scottish Government’s own statistics for 2022, a comparison can be made. It is evident that with an average class size of 23.3 in 2022, Scotland is lagging behind the OECD and the EU22 average. The OECD average is 21 in primary and 23 in lower secondary and the EU22 average class size in primary schools was 20.

Teachers have made it clear that a reduction in class sizes would allow time to embed more inclusive approaches, giving them time and space to build the relationships with

²⁸ [Schools in Scotland 2022: summary statistics - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/schools-in-scotland-2022-2023/summary-statistics/pages/10.aspx)

²⁹ OECD, “Education at a Glance 2021 OECD Indicators” (September 2023) https://www.oecd-ilibrary.org/education/education-at-a-glance_19991487/en.pdf?expires=1643305116&id=id&accname=quest&checksum=BACA73D09638A38DDB1EEFB8C5790C32

pupils that they need to provide effective support for children with additional support needs and allowing them to engage meaningfully with parents.

When asked what actions would assist teachers in dealing with violence and aggression in the classroom, secondary school branches (72.8%) recorded smaller class sizes as their favoured action in response to an EIS survey. Primary school teachers (65.5%) ranked this second in terms, only to the provision of increased support staff.

Commenting on the importance of smaller class sizes, one respondent said:

'The drive to the 'presumption of mainstreaming' without reduced class sizes creates difficulties in managing such violence and aggression.'

It is axiomatic, therefore, that large class sizes mean that teachers are less able to effectively track and monitor the wellbeing of their students, and such class sizes militate against inclusive practices, limiting the scope for preventative early intervention.

Although class sizes in special schools are restricted by the numbers specified in Appendix 2.9 of the SNCT Handbook³⁰, the terminology used in this section is outdated and should be updated. In addition, there are issues in practice with the categorisation of children and young people according to these definitions. Too often, our members report that children with complex needs are being categorised wrongly and placed in larger class sizes. No account is taken of the range or complexity of needs, with the default position being that the child will be placed in a class of ten when they should be in a class of six. The consequence is that the young person becomes overwhelmed in the setting and the teacher and school staff have to manage their needs, amidst other vulnerable pupils, adding to the stress for all. Staff do their best to support children and young people in these situations, often to the detriment of their own health and wellbeing. Attracting and retaining staff to work in these conditions is becoming more challenging, resulting in staff shortages and adding to the never-ending cycle of stress and workload for those who remain. This must be addressed as a matter of urgency, not only for the children and young people with severe and complex needs but for the staff working in these settings.

- *Too Little Time for Professional Learning*

It is important for all professionals working with children and young people to have appropriate, recognised qualifications. Regrettably, access to specialist qualifications in ASL has been eroded over the past two decades. In the past, teachers had access to funded post-graduate learning, with cover provided by the employer and time provided to enable the course of study to be completed successfully. Such opportunities rarely exist now. Teachers who engage in professional learning about

³⁰ [Appendix 2.9 - SNCT Handbook](#)

ASL matters often do so in their own time (on top of already excessive workloads) and at their own expense.

Schools lack funding to cover the cost of supply staff to enable release from the classroom of teachers wishing to undertake relevant professional learning, and where funding may be available for cover, the requisite teachers may not be.

The EIS is aware from our professional learning offering, that courses in this area are routinely over-subscribed with a waiting list pending.

Furthermore, even if professional learning on ASL were to be available, teachers should be given protected and extended preparation time to reflect on their learning and engage with colleagues in collegiate dialogue about its relevance of the learning for their particular context. Time and space are crucial if professional learning is to impact inclusive practice and outcomes for children and young people.

- *Reduction in the Number of Special Schools*

In the period from 2016, there has been a 23% reduction (from 141 settings in 2016 to 109 in 2022) in the number of special schools.³¹

Whilst the EIS wholeheartedly supports the presumption of mainstreaming, it must be accepted that mainstream schools are not the correct learning environment for all pupils and there is a place for special schools, base units and tailored provision, where more bespoke arrangements can be adopted to support the needs of those children and young people.

Some EIS branches have highlighted the impact which the reduction in the number of special schools and support-based units in mainstream settings is having on the delivery of inclusive education for children and young people who are now having to spend significant periods of time in mainstream without the support they were previously getting.

“More and more ASD pupils who cannot cope in busy classes are being expected to integrate in mainstream without support.”

This may have an impact not only on the pupil with ASN but also on the learning of others in the class.

‘Mainly due to the fact that children who would previously have been placed in a base school are now in a mainstream school where ASL needs cannot be met due to larger numbers of children with ASN across the school. This is having a significant impact on the learning of all others in the classroom.’

³¹ [Schools in Scotland 2022: summary statistics - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/schools-in-scotland-2022/summary-statistics/pages/10.aspx)

Conclusion

It can clearly be seen that Scottish Education is not delivering inclusive education consistently for the children and young people in our schools and the impact of the pandemic, austerity cuts and wider societal factors are contributing to the evident gap between policy and practice. However, the presumption of mainstreaming can support the delivery of inclusive education but we need to see the commitment of the Scottish Government through significant increased resourcing in core education, specifically for ASL, to make this a reality in practice.

And/or

- ***What impact, if any, does the presumption of mainstreaming have on the education of pupils who do not require additional support?***

As highlighted above, the impact of systemic under-resourcing, both in terms of staffing and funding, and lack of specialism in education and wider support services is impacting not only those children and young people with additional support needs but also others in the same setting.

With the high incidence of additional support needs in a class, teachers have less time to spend with those pupils who do not require additional support and therefore, have less time to build the relational approaches which underpin inclusive education. Often the varieties of pedagogy required to meet all the needs in large classes, without support, is simply not sustainable either in terms of teacher workload, learners' entitlements and maintaining a calm and inclusive learning environment.

The impact of unmet need in those pupils who have ASN, and which can manifest itself in distressed, violent and aggressive behaviour, can also affect pupils in the setting who are witnessing this on a regular basis.

The EIS Violence and Aggression survey was very clear on this point:

- 99.8% of branches asserted that violent, aggressive and disruptive behaviour in schools is having a detrimental impact on pupils' learning
- 97% of branches indicated that 'other pupils' behaviour was adversely affected
- 95% said that it disrupts certain types of pedagogies, such as group work or carousel activities.

One response summarised the impact which their members experienced from this behaviour, arising from unmet additional support needs in their classes:

- *'Affects pace of learning and enthusiasm of other pupils. Affects ability to build relationships with all pupils - less time available for rest of class and may have to be more strict than otherwise. Incidents often spill into corridors and affect other classes.'*

The fact that classrooms were not safe was also frequently referenced in the survey:

- *'environment no longer safe and secure therefore trust in teacher is lost'*
- *'Pupils and staff simply don't feel safe at times. Even incidents in other rooms impact across the school as staff are shifted to fire fight incidents.'*

A significant number of responses indicated the impact on pupils' wellbeing and mental

health, referencing that pupils become anxious and fearful of other pupils. In some cases, this has resulted in them missing out on days at school because of their anxiety, and in a small number of examples given some pupils have even changed school as they are so afraid of some pupils.

- *'Negative impact on mental health. Children are scared and do not want to come to school.'*
- *'Lessons are repeatedly interrupted and the pace of learning is affected. It affects staff and pupils' mental health and confidence.'*
- *'We have had pupils that have been so anxious that they have not come to school, in some cases we have had pupils removed by parents and moved to other schools. This is due to children feeling so unsafe in their classrooms.'*
- *'Children are traumatised by regular instances of violence in the class, and no longer view school as a safe place. Children who come from backgrounds of domestic violence can be triggered and re-traumatised when witnessing violence at school. Learning time is lost to resolving incidents, providing first aid, and helping children to feel safe again.'*

Branches raised the issue of 'open plan' schools where the disruption in one class can affect pupils in another class. Furthermore, some comments referenced damage to their teaching resources, making it difficult to continue teaching the lesson, or future lessons.

- *'Destruction of resources and damage to the classroom environment, additional planning required, sacrifice of space in classrooms.'*
- *'Open plan layout of school, another class could be disruptive and it has an impact in all classes in the area.'*
- *'Pupils not feeling safe because of the 'few'. Gaps in the day if have to evacuate classroom. Trauma of room being trashed. Trauma of experiencing violent behaviour. Resources being broken.'*

Some comments also talked about the knock-on effect on other pupils as staff members are pulled to help manage behavioural issues. This can contribute to increased feelings of anxiety and insecurity but can also reduce the time available for teaching and learning.

There are also pupils who have to leave classes early because of fears about being in corridors, which means they lose learning or staff have to plan differently to compensate for this. The impact on attainment was also referenced:

- *'Attainment is affected. Overall class and school dynamic is affected. Less time to give other pupils 1:1 focus.'*
 - *'The attainment is dropping as teaching time is taken up with the other incidences.'*
- Almost all of the branches surveyed identified the impact of violence, disruption or

aggressive behaviour on pupils. They stated that pupils are:

- less focussed (98.2%),
- more agitated or nervous (96.5%),
- withdrawn (94.0%),
- less happy (94.8%),
- more likely to be disruptive themselves (95.9%) or
- become angry or upset (92.9%).

There were also a considerable number of comments that suggested that some pupils may copy the disruptive and aggressive behaviour of other pupils, leading to more class time being affected by behaviour.

One response highlighted the impact which failing to resource ASL is having on the school community as a whole:

- *'Inclusion is becoming exclusion at the expense of the rest of the class. Some classes have high levels of ASN making it impossible to effectively teach.'*-The imperative for *'adequate, secure, and sustainable funding'* is clear, not only to deliver inclusive education for those pupils with ASN but for all children and young people in our schools.

For Children with Additional Support Needs, in your experience:

- *Can you provide details of how these additional support needs were recognised and identified initially? Was there any delay in the process which followed the identification of additional support needs and formal recognition which leads to the accessing of the additional support? If so, what was the delay?*

This is covered in the sections above.

- *Where the child is being educated in specialist settings, can you give examples of where their needs are being met, and examples of where they are not being met?*

We have provided comment on the challenges facing special schools and units above.

- *What specialist support does the child receive and what support do you get in accessing this support? Are there any gaps in the specialist support provided either because the prescribed support is not available or extra support not formally prescribed is not being provided?*

Although this question is not directly applicable to our members, we have provided comments above in relation to the significant challenges in accessing specialist support services.

We would also observe that where there is delay in accessing specialist support, parents and carers will understandably look to the school for assistance. However, with the resourcing issues in schools, this can add to the workload and pressure which school staff and management feel, contributing to stress and anxiety around meeting

needs.

- *On balance, do you view the presumption of mainstreaming as having been a positive or negative development for your child or in general, and on balance, do you view the presumption of mainstreaming as having been a positive or negative development for other children in Scottish schools?*

-

The EIS would again caution against the inference that the presumption of mainstream in itself has resulted in positive or negative influences on children and young people. As is evident from the commentary above, the issues are not with the policy of mainstreaming but rather the failure of the Scottish Government and Local Authorities to implement it appropriately in practice.

Impact of COVID-19 on additional support for learning

- *In what ways has the pandemic impacted on the needs of pupils with additional support needs and the meeting of those needs, both positively and negatively?*

We have highlighted the impact of the pandemic in a separate section above and would refer to that for the purposes of answering this question.

- *How successfully have local authorities and schools adjusted to meet these needs?*

See above.

The Use of Remedies as set out in the Act

- *How are parents/carers and young people included in the decisions that affect the additional support for learning provided to young people and could this be better?*

The opportunity for parents, carers and young people to engage in planning processes around the provision of ASL is a key feature of GIRFEC policy. Child planning meetings are now well embedded in educational practice and allow all those supporting the child to meet and plan for future provision.

However, the paucity of resourcing which we have cited above is not only having an impact on the number and range of professionals who can commit to these meetings but is also have an impact on the types of support which can be put in place. Parents, carers and young people may be involved in the discussions but if there is a lack of resourcing to support the identified intervention, then this can add to their anxiety, frustration and distress.

As is referenced above, teachers are also increasingly having to attend these meetings and to manage the associated high levels of bureaucracy in their own time. GIRFEC policy is premised on joint working in a culture of co-operation and communication between professionals, working in partnership with children, young people and their

families. For this approach to operate effectively, practitioners must be given time to develop relationships, to engage in meaningful planning and reflective practice and to assess the impact of interventions. Unless the time and resource is allocated to support this practice, then the effectiveness of GIRFEC engagement processes will be impacted.

Are you aware that there are statutory remedies around the provision of additional support for learning as set out in the 2004 Act, specifically:

- *Right to have a ‘supporter’ present in discussions or an ‘advocacy worker’ make representations to the local authority, the local authority does not have to pay for this. (section 14)*
- *Right to advocacy services, free of charge, for those taking cases to the Additional Support Needs Tribunal (section 14A)*
- *Independent mediation, free of charge (section 15)*
- *Independent adjudication, free of charge (regulations under section 16)*
- *A Tribunal for certain issues involving Co-ordinated Support Plans, placing requests and disability discrimination cases under the Equality Act 2010.*

Yes.

- *If you have experience of any of these processes, do you have any comments on your experiences?*

The EIS has no specific comments to make in this regard.

- Any other comments?

Facing up to the Challenge

The EIS continues to believe that the Scottish Government and Local Authorities need to be honest about the size of the challenge that we face with regards to ASN provision and about how we address it.

We have world-leading legislation and policy frameworks to support the presumption of mainstreaming and inclusive education. At this crucial time, when children and young people are facing so many challenges, as we emerge from the pandemic and witness them struggling to cope with the societal and global pressures associated with conflict, climate change and rampant poverty, we cannot ignore the evidence manifest through mental health statistics and increased levels of violence and aggression in our schools.

The narrative that ‘mainstreaming’ entails class teachers delivering to meet the needs of all through their standard planned differentiation of materials and pedagogy and that teachers’ extant professional standards should equip them to meet the level and panoply of needs apparent, without additional resource, must be quashed. Scotland needs a long-term resourcing strategy – including action to reduce class sizes and significantly enhance the availability of specialist ASN support and expertise within

schools – to respond to the now even more urgent and larger scale need.

Despite the range of reviews which have been commissioned to consider the delivery of ASL in our schools and the subsequent working groups created to implementation recommendations, we continue to witness efforts to evade discourse around the crucial issue of resourcing. To continue to dodge this issue and to tinker around the edges of fixing the problem, does a huge disservice to many.

It is letting down the children and young people with additional support needs, including those who are care experienced, whose wellbeing, learning and associated outcomes are negatively affected by a lack of appropriate support.

It also does a disservice to the children and young people in our schools who do not have additional support needs and whose daily educational experiences are impacted by the classroom dynamics which emerge from the fact that there are very large numbers of young people who do need extra help, yet only one teacher and insufficient numbers of ASN teachers and support assistants to give that help and to respond to their own needs and entitlements as learners. Furthermore, the stress impact of these conditions for teachers has a negative effect on the learning environment for all learners. OECD research shows that where teacher wellbeing is sound, learning outcomes for young people are enhanced.

The inertia around ASN resourcing is also letting down families who see the damage that the lack of support does to their children, who are upset by it and either, where they have capacity, forced into advocacy activity that they should not have to engage in; or, where they do not have capacity, continue to be distressed by their child's struggle.

It is letting down the teachers and other school staff who are left to respond to an array of increasingly complex support needs and the distress of children and families that emerges when needs are not met as a result of insufficiency of resources, on a daily basis.

And it will lead to failure of the collective mission to close the poverty related attainment gap. The Scottish Government must listen, must act and must invest in Scottish Education to deliver the promise of inclusive practice made to young people and their families almost twenty years ago.

December 2023

Response to the call for views from NASUWT

The NASUWT's submission to the Scottish Parliament Education, Children and Young People Committee sets out the Union's views on the key issues which should be explored by the Committee in its scrutiny of Additional Support for Learning (ASL) in Scotland. The NASUWT's evidence is informed directly by serving teacher and headteacher members and also by the work of its representative committees and consultative structures, made up of practising teachers and school leaders working in the education system.

Implementation of the presumption of mainstreaming

The most recent survey of NASUWT members which focused specifically on Additional Support Needs (ASN) was conducted earlier in 2023 (in February) and highlighted some key concerns linked to the presumption of mainstreaming.

In response to a question asking if pupils with ASN receive the support to which they are entitled:

47% said Sometimes;
35% Rarely;
and 3% Never.

When asked to identify the key reasons why pupils did not always receive such support:

75% cited 'Long waiting lists for support';

60% identified 'Cuts to external services mean that my school cannot access the necessary specialist support';

While 57% suggested 'Budgetary pressures mean specialist support is too expensive for my school to obtain'.

The survey was UK-wide (though only the Scotland-specific figures are reported here) and there was no specific option on the list of reasons linked to the presumption of mainstreaming, nevertheless, many of the specific comments added to the survey by respondents touched on this, for example:

'Not enough staff to support pupil needs. I am coping on my own with a class where the academic level for some is First Level and others Third Level. Within the class there are pupils with IEPs, ASD, SEBN, ADHD';

'Pupil specialist placements are so hugely oversubscribed. We are seeing a massive

rise in neurodivergent children within mainstream classrooms'; 'Closure of ASN and specialist schools, without facility to cater to ASN children in mainstream schools, causes problems';

'There seem to be no additional funds for ASN pupils in mainstream in Scotland. Resources have to be taken from elsewhere in the school.' 'Poor behaviour issues have increased. This affects the rest of the students whose education is suffering.'

Most of the latter questions here seem aimed very much at parents/carers and the individual experience of their child(ren). A broader response by NASUWT to the Call for Views is contained later, under Any Other Comments, and does touch on some of these matters.

Impact of COVID-19 on additional support for learning

The 2023 NASUWT Survey on ASN asked what impact the pandemic has had on ASN pupils, producing the following results:

Emotional and mental wellbeing - 86% say this has declined in pupils as a result of the pandemic;

Access to specialist internal support and staffing within your school – 84% say this has declined;

Educational attainment/academic progress – 78% say this has declined;

Access to specialist external services and support – 72% say this has declined;

Attendance at school/college – 61% say this has declined.

While there was no specific question on local authority support post-Covid, the answers at 2. and 3. above make clear that teachers believe support for ASN pupils is now worse post-pandemic.

The use of remedies as set out in the Act

Again, the majority of this section seems very much focused on parents/carers and the individual experience of their child(ren). Broader comments by NASUWT are provided in response to the final question on 'Any other comments'.

The evidence from the Additional Support for Learning (ASL) Review, led by Angela Morgan, was that ASL is not visible or equally valued within Scotland's education system. The NASUWT fully agrees that additional support provision should not be viewed as a minority area of interest, nor should it continue to be considered separately within the framework of Scottish education. Nevertheless, the situation remains that across Scotland there is great variability of ASN provision: a variety of

approaches to cost-saving at local authority budget level have affected ASN provision, including reductions to support staff, and an absence of openness and transparency from local authorities and the Scottish Government on spending allocated for ASL.

A multi-faceted approach is required to ensure pupils can access appropriate support both within and outwith schools. This includes: appropriate CLPL; teachers being able to access sufficient time for learning, professional dialogue with colleagues, and reflection; workload that is manageable; appropriate levels of support staff to be made available; and advice and guidance from central support services.

In its submission to the Morgan Review, the NASUWT highlighted that policy and practice in respect of ASN were high priorities for the Union's members but that their experiences highlighted a range of issues and concerns about ASN. In particular, the Union noted that teachers had expressed concerns about some management practices relating to ASN. Many ASN teachers had also raised concerns that abuse and violence is now seen as 'part of the job'. These matters have not been addressed and evidence from the 2023 NASUWT Survey of members on ASN reinforces these points:

89% of respondents indicated that their ASN responsibilities had led to increased stress over the past 12 months and the highest-ranked reason for this (cited by 85% of respondents) was Managing the Behaviour of Pupils. Sample comments about this include:

'There is a culture of hiding violence towards staff to make out a school is good and improving when there is terrifying violence occurring.'; 'Often the challenging behaviour is extremely disruptive, stressful, abusive and can be violent.'; and sample comments linked to issues with headteachers/Senior Management include:

'HT chooses to target resources towards children who will improve assessment scores/data';

'Our SMT are not properly trained and do not fully understand the needs of our learners and dismiss the professional opinions of the teachers in the rooms';

'If we raise concerns, both at school management level and beyond, the blame is put on us, what are we doing wrong or not doing? Nobody wants to acknowledge the issues properly because changes would have to be made so it's easier, and cheaper, for us teachers to 'put up and shut up' and those higher in authority to pretend that things are not that bad and just keep piling on the pressures'.

Further NASUWT input to the Morgan Review suggested that the demands being placed on teachers and schools were increasing, that increasing numbers of learners with more complex needs were being taught in mainstream classrooms, and that, across the system, the range and complexity of needs were increasing. Again, rather than seeing any changes or improvements in these areas, the 2023 NASUWT ASN Survey confirms that these problems continue. The other two key drivers of stress in ASN teachers (alongside Managing Behaviour, mentioned at 9. above) are:

Increased complexity of needs of pupils I teach (85% of respondents);
Increased number of pupils I teach with ASN (72% of respondents). Sample comments which reinforce this are:

'The complexities are increasing, the support is decreasing. It's an awful situation for everyone involved. All services such as speech, OT, social service, CAMHs are stretched but they also step back and won't get involved and it all falls to education. The system is broken and we are failing these young people';

'More and more pupils with needs and staffing pressures mean the service has been diluted in my school. I am an ASN teacher and we are increasingly needed for general behaviour support, anxiety related issues etc';

'Support in some areas (dyspraxia, dyscalculia) is significantly weaker and training less available than others (ASD, dyslexia).'

NASUWT members' contributions to the Morgan Review also emphasised that cuts to specialist services were exacerbating the difficulties that schools face and inhibiting the ability of schools to access the support that children and young people with ASN need. Reports also indicated that schools and teachers were encountering significant challenges as a result of austerity, including issues arising from cuts to local authority and other education and health services. The 2023 NASUWT ASN Survey again reinforces that these trends have continued in the wrong direction.

When asked about the cost-of-living crisis/school budget pressures and their impact on children with ASN, members responded as follows:

Emotional and mental wellbeing - 84% say this has declined in pupils as a result of the cost-of-living crisis/budgetary pressures;

Access to specialist external services and support – 82% say this has declined;

Access to specialist internal support and staffing within your school – 77% say this has declined;

Educational attainment/academic progress – 74% say this has declined;+

Attendance at school/college – 55% say this has declined.

Supporting children and young people with ASN requires urgent renewed investment in tailored services and education settings to ensure that there is equality of opportunity and choice for all.

This theme of budgetary pressures negatively impacting on ASN pupils has also come through in the Scottish Government's own 'Research into Provision for Pupils with Complex Additional Support Needs in Scotland', published in September of this year. The research found that resource issues were negatively impacting many

areas, including: access to specialist facilities and services (such as educational psychologists, speech and language therapists and occupational therapists), access to transport and, overall, inhibiting policy implementation. It also highlighted other key issues identified by NASUWT members in our 2023 ASN Survey, of a landscape which sees increased numbers of pupils with ASN and an increasingly complex range of needs alongside cutbacks in staffing.

In this same area of Pupils with Complex Additional Support Needs, NASUWT has had concerns for some time about how Co-ordinated Support Plans (CSP) are established for those with the most significant needs. Past experience has suggested that some local authorities can take a rather secretive and sometimes haphazard approach to these and there needs to be more transparency and consistency in this area.

The NASUWT welcomed the Morgan Review's recommendations on teacher education and development, namely:

'Teacher recruitment, selection, education and professional development and learning processes must align with the changed and changing profile of children and young people in Scotland, ensuring:

All teachers hold and enact professional values of inclusion and inclusive practice and see this as a core part of their role.

All teachers understand what additional support needs are. They are clear about their role in supporting the identification of additional support needs and the need to adapt their teaching to ensure a meaningful learning experience for all their learners.

All teacher education and development includes nationally specified practice and skills development in supporting learners with additional support needs, as a core element.

Practice learning and development at local level must include where and how to access specialists' expertise and support.

Communication, relationship building and positive mediation skills development are incorporated and embedded into teacher education and development, supported by coaching and mentoring opportunities.

Parity of career progression, pathway structures and opportunities for specialist teachers of Additional Support for Learning:

There should be a first teaching qualification in additional support needs available during Initial Teacher Education; and

The career path proposal under consideration by the SNCT to develop new career pathways should have an additional strand for Additional Support for Learning.

The focus and methods for teacher education and practice learning are directly informed and developed by the feedback of teachers.

Innovative and partnership approaches to practice learning should be developed including delivery and participation of children, young people, parents and carers.'

Whilst appreciating that the advent of a global pandemic necessarily impacted on taking forward the recommendations of the Morgan Review, the statistics and comments above from the most recent survey of NASUWT members on ASN provision suggests there has been little progress on these recommendations.

This is succinctly summarised by one of our senior NASUWT activists, an ASN specialist: 'The implementation of the recommendations outlined in the Morgan Review represents a preliminary step towards advancing the provision of Additional Support Needs (ASN). To ensure that the needs of neurodivergent learners are adequately met, a greater allocation of resources, including teachers and pupil support assistants, is necessary. Additionally, ratios must be revised, taking into account the significant changes in reporting levels since 1985. Furthermore, it is crucial to ensure that buildings or spaces within buildings are appropriate for the developmental and physical requirements of the learners. By addressing these issues, improvements can be made to the education offered to learners with additional support needs, providing an enhanced learning experience.'

ASN deserves to be prioritised by the Scottish Government not only to highlight awareness of the significant issues the system faces, but also as a vehicle for ensuring greater investment in the sector. Investment in, and collaboration between, wider children's services is key. The Covid-19 crisis has highlighted and deepened pre-pandemic concerns about the fragmented nature of children and young people's services in key respects, particularly in the areas of special and additional needs. The Government must support action in this area through significant investment in these services, particularly in-school and out-of-school services focused on supporting the mental health and wellbeing of children and those who are most vulnerable and disadvantaged. The real-terms cuts in spending in the children's services sector experienced over the past decade must be reversed, with additional resources made available to meet recovery-related priorities. Without investing in appropriate provision, it is to be anticipated that ASN children's education and mental health and wellbeing will continue to be compromised.

School Leaders Scotland

Theme 1 – Implementation of the presumption of mainstreaming

From the perspective of members in secondary schools the presumption of mainstreaming has not been entirely successful. The principle of the policy is hard to argue against however the implementation is problematic if not resourced. Unfortunately, it also means that we are held to policy which is, more often than not, unattainable under current resourcing/structures/constraints. Trends in budget cuts exacerbates the problem.

There are a number of concerns emerging with the provision available for children with ASN both in the primary and secondary sectors which could be loosed grouped thusly:

- Accessibility of the curriculum and associated workload for mainstream teachers in catering for the increasing range of (diverse) needs in a classroom setting.
- Increasing reports of distressed/distressing behaviour and real issues around behaviour being exhibited in classrooms by learners leading to the disruption of learning for the majority of pupils.
- A lack of consideration around both academic ASN and emotional ASN and how each individual learner will cope within a mainstream setting.
- A continued move to presumption of mainstreaming without sufficient alternative support in place
- The cutting/restriction of access to existing additional provision and reduction in services provided by external agencies and providers to support learners with ASN (in particular SEBD needs).
- The discrepancy between real term cuts in educational funding, the enforced retaining of pupil: teacher ratios (which ensures a greater proportion of available finance has to be allocated to teaching staff) and thus the staffing and finance available to divert towards those learners with ASN.

Whilst many local authorities have seen wide ranging changes to the provision of ASN, the proportion of learners with at least one ASN has risen in recent years (in some schools the number of learners with a recognised ASN – including SEBD and mental health issues alongside categories such as ASD, EAL, ADHD, dyslexia and various medical conditions – has risen by over 50%).

This has greatly changed the experience in mainstream classrooms for both staff and learners. In some schools this has resulted in the introduction of Small Group Settings to widen supports for learners with ASD and complex communication difficulties. However often no clear staff to pupil ratio has been outlined by the authority and it is unclear exactly whether they are seen as alternative provision or a mainstream provision.

While the presumption of mainstream does look to move towards a more inclusive experience for all young people within their own community, it also creates a system

whereby a number of young people are not being placed in a setting which currently has the resource to appropriately support for their need/s.

Many mainstream schools are trying to adapt and change in order to ensure that 'mainstream' is actually suitably resourced in order to meet the many needs of our learners.

More recently we have become aware of cluster primary schools across Scotland being asked to support complex/significant needs (inc. medical) with no additional resourcing from their local authorities. Senior Leaders in schools are often left to try and make something work by "being creative".

In many schools, there have been lots of adaptations and changes to practice happening, but this is often still falling short of what is required to meet the complexities of the needs of the children we have within our schools.

There has been an increasing number of learners entering high school who are working at early/early first level and unable to access the secondary curriculum. At the same time the number of PSWs available is reducing with staffing budgets remaining static as teacher salaries have increased. This reduces in class support availability, typically meaning multiple learners with high levels of ASN being placed in the same class or group to ensure support of some level is in place. Class teachers have reported increasing uncertainty of how to manage having such high numbers of ASN within individual classes.

Linked to these concerns is the very tangible issue around learners for whom, academically, the secondary curriculum is accessible, but the social side of mainstream school is incredibly difficult and anxiety inducing. These learners are not being served/supported by either mainstream or alternative provision and the evidence is there in increasing numbers of learners with ASD/ASN who are currently school refusers and report their inability to enter classrooms and busy school buildings. This is in turn leading to high reported levels of poor mental health among those with ASN.

In this respect the presumption of mainstream has led to poorer experience of learning in school both for learners with ASN and those mainstream pupils whose learning is being disrupted by behaviours that are signifying distress and difficulty in accessing the learning.

Further, many parental expectations of mainstream provision run contrary to professional assessment and recommendation. For example, a young person with severe and complex needs may be in a position to benefit from a school's well-resourced ASN provision, but the insistence of the parent that their young person goes into mainstream is a significant concern of head teachers.

Where the presumption of mainstreaming has been effective has been increasing awareness of strategies to support learners with ASN and supporting those who are able to manage socially within the bigger setting. However, these needs to be far greater opportunities to allow learners to access alternative provision where this is not

possible and more regular review and movement should be possible between establishments to facilitate this.

The presumption of mainstream can also lead to an offering that does not meet entitlements. Mainstream schools are expected to support young people who require 1:1 support of a teacher or support assistant but this often comes with no added resource. As a result, choices have to be made between a more limited timetable with the correct support or less time in school. There is also a lack of agencies and partners to work with to help bolster the experience and those which we do have access to have limited space or are very costly.

When mainstream is not appropriate for a young person, we are also seeing an increase of these young people still being placed within a mainstream school, due to the fact that there are 'no more spaces' within the specialist schools and provisions. The evidence from our members is that this is not a one-off circumstance; there are often children for whom a specialist setting *has* been deemed as being the correct setting through placement change panels, but the lack of spaces means that those children are then either placed for a period of time within their local mainstream school or, in some cases, indefinitely within a mainstream setting. Not only is this highly distressing in many cases for the families and young people but it also has an immense impact on mainstream schools and their resources – as these young people often require high levels of resource to be prioritised for them alone.

Looking ahead, we can now see an entire range of learning and physical needs where some of our learners will have the pressures of sitting exams (N5, Higher etc.) whilst at the same time we have young people who transition to us from primary and still do not know their basic phonics. The challenges of this and the impact upon the capability of class teachers to meet the needs of all of these learners is then huge. While teachers are and can be capable of supporting all of these aforementioned learners, they cannot do so without a system of support.

Theme 2: Impact of COVID-19 on additional support for learning

- Increase in need around mental health, non-attendance/school refusal, trauma related need and resultant behaviour challenges to which these lead; increase in need for nurture groups/hubs
- Appears to be an increasing expectation to meet needs alongside annual cuts to funding allocations in ASL (teaching and PSA budgets allocations).
- ASL absorbing the increase in needs **and** attempting to fill the gap of services that no longer exist.
- Growing minority of parents have expectations that are unmanageable.

Theme 3 - The use of remedies as set out in the Act

Policy directs us to consider views of the “team around the child” to make decisions. Parents and carers are involved at regular points in decision making that affects the

child (with the initial exception of the professionals meeting at the end of P6 where decisions are taken about transition pathways). Parents/carers are involved in reviewing IEPs (in primary) and learning passports/CSPs (secondary) and in Assessment of Wellbeing Meetings and Child's Planning Meetings to review progress, identify concerns and plan for next steps.

While there is an assumption that all communication from parents/carers is treated in the same way, often however we are seeing an increase in parents/children receiving support due to the fact they are capable of advocating for their child and themselves. Sometimes parental views are more powerful than education professionals who understand available resourcing team around the child. Often this leads to a re-allocation of resources away from other young people so that the loudest parents are supported despite best efforts to use robust systems to allocate resources equitably.

However, there are reports of third-party representation routinely making recommendations to schools, e.g., asking for additional support / PSAs / resourcing, without a professional understanding of educational need/resources. Such verbal/written representations are frequently used by parents to re-enforce their stance.

Across schools, much is done to be able to engage parents and their views at the earliest level, in order to be able to avoid any disputes or difficulties arising in the first instance.

SLS members have related situations where a school has gone through several levels of investigation (resulting in an upcoming ASN tribunal) because parents have disagreed with decisions that have been made by professionals. Again, this is likely because schools are unable to meet the policy requirements due to under resourcing and so local authorities find it difficult to defend in an ASN tribunal because policy does not match resourcing.

In relation to this, as well as school staff, QIOs/QIMs/Service leads/etc appear to spend a lot of time dealing with complaints and ASN tribunals. This likely means they have less time and resourcing of their own to be proactive. Consequentially, local authorities are overturning head teachers' decisions and disempowering schools to take forward informed decisions about individual young people.

There is an acknowledgement that there are systems in place for parents/carers to dispute issues and there are supports such as advocacy services but, again, there is still a huge gap in this area in terms of the knowledge of what support is available and also the resource behind this.

One area of potential concern is the weight of documentary evidence required to construct even an Assessment of Wellbeing. Another linked concern is the lack of other responsible agencies not taking the lead in creating this documentation, specifically Social Policy where the concerns are more social/familial rather than directly educational.

In summary:

The policy and principles of inclusion and presumption of mainstreaming are overall a positive aspirational goal and in general we would say this is a value held by colleagues almost universally.

However, policy does not match the level of resourcing on the front line in schools (and it is only going to decrease further under current financial climate). Time, finances and resourcing are placed on developing and managing bureaucratic ways to plan and review interventions. Conversely, resourcing is taken away from those that have the time and money actually to **do** the intervention activities.

The process of remedies is challenging to manage as a result of the above because GIRFEC/Inclusion/Presumption of mainstreaming is a promise that we can't keep due to resourcing levels.

If the presumption of mainstream is to be truly successful, then mainstream schools have to be afforded the time/energy/budgets/resources required to adapt.

We, as an Association, are absolutely committed to inclusion and believe in the underpinning value of presumption of mainstream, however, the resources, environments and constraints that we are expected to deliver this within currently are resulting in poorer outcomes for young people. As ever, schools are doing all in their power to combat this.

Response to the call for views from Scottish Secondary Teachers' Association - ASN Committee

The Scottish Secondary Teachers' Association (SSTA) is a union for Secondary school teachers in Scotland. The SSTA ASN Committee is a board for SSTA council members to work on matters that are of particular relevance to teachers working with learners who have ASNs.

Implementation of the presumption of mainstreaming**To what degree do you feel the presumption of mainstreaming successfully delivers on inclusive education for those pupils requiring additional support?**

Not to a great extent, it is difficult to meet the needs of all learners within mainstream classrooms. Those who need additional support have to be balanced with those who do not need such support but whose learning requires pacing that makes it difficult for those with ASNs to keep up with. The opportunity to integrate socially with learners who do not have ASNs is good but when it comes to participating, achieving and supported there are barriers that occur naturally to do with the learning environment, social realities and the capability of teachers and schools to meet the needs of learners with ASNs. Many of the drawbacks within mainstream settings are things that can be better accommodated within specialist schools and units. Inclusive pedagogy is something that our committee, as well as our union, strongly believe in. Whilst the idea of schools and classrooms that are not segregated and that value diversity is something that we support; the presumption of mainstreaming has not provided solutions to exclusions that learners with ASNs are faced with. Social exclusion is a serious problem as well. Pupils with ASNs often find social relationships in mainstream education more difficult because they are different from the majority of pupils who do not have ASNs. Isolation and bullying can become part of school life for pupils with ASN in mainstream environments. The lack of the opportunity to learn in specialised environments mean that friendship opportunities with other ASN pupils are much more limited.

What impact, if any, does the presumption of mainstreaming have on the education of pupils who do not require additional support?"

Pupils who do not have ASNs being taught with those learners who do, benefit from a fuller and more representative experience of our society. Understanding one another better and caring for one another is a key aspect of our education system and the presumption of mainstreaming has increased opportunities for this

to happen. This is a good starting point for learners without ASNs before they leave school and make their contributions to life and society beyond school whether that be in Scotland or further afield. A drawback is that mainstream classrooms and curricula need to be purposed and resourced differently given the presumption of mainstreaming. Meeting a greater diversity of need means that resources must be made more general, broadened and less specific to the needs of learners without ASNs. From the point of view of teachers, this is difficult to measure over time given the changed context of education looking back over the last two decades but it is likely that progress and pace of learning in mainstream schools and classrooms is slower than it would be were there less diversity of need. Teachers' professional development and curricular development is less focused on the needs of those without ASNs.

Where the child is being educated in specialist settings can you give examples of where their needs are being met, and examples of where they are not being met?

Pupils in ASN settings have their needs met by having teachers who have professional capacities more focused on meeting their needs. Staff in specialist environments are often more knowledgeable about the different resources that pupils with ASNs can access (health and social services, clubs, support organisations, legal resources etc) however specialist provision is limited, with fewer financial resources and they are unable to provide social opportunities with peers who do not have ASNs as frequently as can happen in mainstream environments.

On balance, do you view the presumption of mainstreaming as having been a positive or negative development for your child or in general, and on balance, do you view the presumption of mainstreaming as having been a positive or negative development for other children in Scottish schools?

In general our committee feels that the presumption of mainstreaming has had a negative impact on Scottish education because it has led to exclusions within the mainstream for pupils with ASNs. Further, a side effect has been that conversationally 'inclusion' is viewed as a policy choice of parachuting pupils with ASNs into mainstream classrooms and as something that 'doesn't work'. The presumption of mainstreaming is viewed as a byword for inclusion which is a significant problem as it is a huge oversimplification of inclusion which is a necessary process for society to consider in its complexity.

Response to the call for views from UNISON Scotland

UNISON is Scotland's largest trade union with more than 150,000 members across the public, private and voluntary sectors. We welcome the opportunity to respond to the Education, Children and Young People Committee's call for views on Additional Support for Learning (ASL).

We welcome the Committee saying specifically that they want to hear from support staff. A large number of UNISON members work in schools and early years settings in a wide range of posts. We also represent social workers and educational psychologists. Many of our schools and early years members are classroom-based support staff, or nursery staff, of whom a good number have general or more specific ASL responsibilities. Posts include, but are not limited to: classroom assistants, child development officers, early years workers, support for learning workers, attainment practitioners, pupil support assistants and more, some of whose work is exclusively with children with Additional Support Needs (ASN). Our responses to the Call for Views questions below include direct quotes from members based on their experiences and expertise at work.

The consultation is looking at several aspects of the implementation of presumption of mainstreaming (meaning that, where possible, children and young people with additional support needs should be educated in mainstream schools alongside other pupils, rather than in special schools). Our response focuses on the main questions of relevance to workers on the implementation of the presumption of mainstreaming and on the impact of the COVID-19 pandemic on ASL.

Key message

Overall, our response is summed up by saying that while we support mainstreaming in principle, it must be sufficiently funded. While there will be some very good practice going on in some schools, it is currently not working well for too many children, those with identified ASN, and other pupils. Despite the best efforts of dedicated teaching and support staff and other education professionals, they do not have sufficient resources and support to deliver the quality learning experience all pupils deserve.

When you look at the large number of pupils with identified ASN (such as autism, dyslexia and mental health problems), which the Committee highlights, this is not surprising as these increased numbers demonstrate the need for a very well-resourced level of staffing to ensure quality learning experiences for all, with a highly trained and

supported workforce.

“Currently there are 705,874 pupils in public and grant-maintained schools in Scotland. Overall, the number of pupils in 2022 with an identified additional support need (ASN) 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.”

Indeed, these figures were updated in December to show a record total in 2023 of 259,036 pupils with an identified ASN, 36.7% of all pupils. (Up from 69,587 in 2010, 10.3%.)

As one senior worker told us: “Sadly the presumption of mainstreaming has had a negative impact for ASN pupils. This is completely down to the lack of resourcing, direct training and appropriate funding. This has also had a negative impact on the learning of children across Scotland.”

Our answers to some questions below go deeper into this, but first we should point out that, while we and our members regularly highlight the understaffing and under resourcing, we see no signs of major improvements, particularly given the huge constraints on local government finances. Indeed, the December 23 Scottish Budget not only underfunded the supposedly fully funded council tax freeze, putting immense additional pressures on council spending, but it made effective cuts to budgets for ‘ASL’ and ‘Educational Psychologists’ with flat rate funding. Spending on mental health services is also being cut – at a time when there remain serious concerns about mental health waiting lists, including access to Child and Adolescent Mental Health Services (CAHMS). Access to this service can be patchy and the link with schools is often a postcode lottery. We want to see a far more joined up approach to mental health for children and young people.

We have raised many of the points in this response regularly over the years, including in our response in 2018 to a consultation on a petition on improving targets and outcomes for people with autism.

In that we noted that the 2017 Education and Skills Committee report into Additional Support Needs (ASN) “supports UNISON’s belief that Scotland is a long way from meeting its aspirations for children with additional support needs. There are some good strategic and policy papers around supporting children but these have not been matched with adequate funding to enable their implementation or recruitment, training and support for the staff in order to ensure they can deliver the correct

support. Parents often have to fight to get the additional support their child needs. When parents (who are able to fight) 'win' that fight there is no additional funding attached to implement the decision. Schools have to provide support from their existing budget. This has an impact on provision of services for other children relying on that budget. So a child with ASN may get a classroom assistant working directly with them but other pupils in the group now cannot access the support she could provide."

Sadly, our responses below reflect the continuing underfunding and under resourcing of the presumption of mainstreaming. They also clearly demonstrate the value of consulting staff when planning and making changes and improvements. Their expertise and experience are invaluable. We hope the Committee will urge action and investment.

Violence and challenging behaviour in schools

It is worth noting that some of the worst consequences of inadequate funding overall, and for ASL, were highlighted in the November 23 Scottish Government Report on Behaviour in Scottish Schools . There are clearly a whole range of factors involved in this and the problems with challenging behaviours of course are far wider than the extra issues around the presumption of mainstreaming. However, as part of its findings on factors which impact on behaviour, the report said:

"School staff and local authority representatives identified a number of external factors which impact behaviour in schools including: • Societal factors such as poverty and deprivation. • Challenges associated with home and family life such as trauma and adverse childhood experiences and parenting. • Additional support needs, particularly where sufficient support is not in place for pupils." (our emphasis)

As a society we are letting down all the children involved in challenging behaviour and all the pupils affected by it, whatever the cause of it, as well as the staff having to deal with it. No-one would say this is conducive to learning and many of the issues pre-date the pandemic. The funding issue is known but must be addressed properly.

In a chapter on policy context, the report noted re the Morgan review: "Guidance on the presumption to provide education in a mainstream setting was updated in 2019. In the same year, the Scottish Government commissioned Angela Morgan to Chair an independent review of the implementation of additional support for learning (ASL)

legislation to see how ASL works in practice. The review found that implementation has been fragmented and inconsistent, and has been hampered by increases in the number of young people identified as having complex additional support needs while public sector resources have reduced at a time of austerity.” (our emphasis)

In a chapter on dysregulation, ASN and resources, the report said:

“When speaking about incidents of verbally abusive or physically aggressive or violent behaviour, school staff frequently spoke about this as intersecting with additional support needs, ADHD and ASD diagnoses and emotional dysregulation. School staff, particularly support staff, described pupils with ASN with more extreme behaviours and complex needs who require one-to-one support in the classroom and who frequently experience extreme emotional dysregulation which can manifest itself in violent and destructive behaviour leading to classes being evacuated and injury to staff and other pupils. School staff linked this increase in incidents among young people with ASD to the presumption of mainstream (the legislative duty on local authorities to provide education to all children and young people in a mainstream school or early learning and childcare setting unless specific exemptions apply) and a perceived reduction in the availability of resources for pupils with ASN including numbers of support staff, as well as on and off-site provision. There was a sense that schools, particularly primary schools, were not adequately resourced to support pupils with ASN, that the funding available for that support was not adequate to provide the additional support required and that there were some pupils attending mainstream schools for whom mainstream was not appropriate but that there was no alternative, specialist provision available. The under-resourcing of ASN provision and lack of specialist facilities and services were also observed in the 2016 report. “If you can manage mainstream, great, but there's not enough facilities for young people who really do need the right support and the right environment for them to be able to reach their potential. The council has shut down so many of these establishments.” (Secondary support staff)”

And in the calls for change highlighted in the report, additional staffing and resources in a number of areas were suggested. Specifically on mainstreaming, the report said:

“The respondents emphasised the importance of providing adequate resources to fund nurture and support for pupils with additional support needs in mainstream schools under the presumption of mainstream policy. The reported increase in pupils with additional support needs (e.g., ADHD, Autism Spectrum Disorder) and young people

with undiagnosed conditions suggest that much higher levels of funding and support are required if these pupils' needs are to continue to be met in mainstream schools.”
(our emphasis)

UNISON Scotland's briefing on the report said: “While teachers have been the focus of media reports, the report clearly shows that the biggest impact of behavioural challenges falls on support staff. The staff with the lowest pay and least training and support.”

As we pointed out in that briefing, the findings – covering all challenging behaviour, not 'just' that related to ASL - support the feedback from UNISON members that they are the ones who are expected to deal with the most challenging behaviours on a day-to-day basis:

“UNISON has been raising these issues locally and nationally for many years. Nothing in this report should be a surprise to government or local authorities. Failure to act earlier has just seen the problem grow. Urgent action is needed to protect staff and pupils. The needs of all young people, including those whose behaviour is causing concern, are not being met. Reporting incidents needs to be much easier. UNISON still encourages members to ensure that they do report incidents.

“The initial response to this report from the government is inadequate. There needs to be substantial investment in our school staff and the wider support teams that children and young people need: In ELC, youth work, social work and educational psychologists. Support staff need to be provided with training, support and time to fully participate in developing strategies to support the pupils they are working with. The money so far announced is wholly inadequate for the challenges this report outlines.”

We note that Education Secretary Jenny Gilruth told the Scottish Parliament earlier in December that there is a record number of additional learning support assistants in schools. However, we believe the Committee should interrogate this statement, particularly against the increase in numbers of pupils with ASN highlighted above, as well as increased needs across education. Also, many staff are not full time, so we need an accurate picture and it is not clear whether the figures she quotes are fit for purpose.

Our responses to the specific questions in the call for views:

Implementation of the presumption of mainstreaming

The presumption in favour of 'mainstream education' strengthened the rights of pupils to be included alongside their peers, with the four key features of inclusion identified as: present, participating, achieving, and supported.

To what degree do you feel the presumption of mainstreaming successfully delivers on inclusive education for those pupils requiring additional support? Feedback from our members' experiences shows that the presumption of mainstreaming is not working for most ASN pupils.

It is often the case that support staff in primary schools are now allocated or timetabled to work on a one-to-one basis with pupils who require individual support. This support is given in corridors, isolated rooms or areas, (seclusion) with members feeling that the pupils have only occasional educational input from a teacher. Our members feel that the education of these secluded pupils is left to the support staff.

The school estate is no longer fit for purpose to support pupils who require to be educationally supported in secluded areas, as the buildings don't have the appropriate space.

Some pupils can remain in class but they often display disruptive, distressed and dysregulated behaviour, throwing objects, name calling, swearing, shouting out, not engaging and being violent and aggressive towards support staff, biting, spitting, punching, kicking and sexual assault. When ASN pupils cannot remain in class, they either remove themselves or they are instructed to leave by the teacher. Support staff have to follow the pupil and the violence continues.

In Early Years, there is a rise in distressed and challenging behaviour. Often children are non-verbal and staff are more than ever using augmented language. This is communication aids, i.e. sign language, picture symbols and visuals. This is also the case in primary.

As one worker put it:

"In my experience, the effectiveness varies based on factors such as the level of support available, teacher training, and the specific needs of individual students. In

some cases, it works in the reverse that children who are either not needing a lot of support or children who are poor learners with no reason are missed as all attention is given to ASN children to the detriment of others within the classroom setting. A more tailored approach or specialised resources may be necessary to truly achieve inclusive education for all.”

Some examples of problems our members highlighted:

Ratios are not adjusted for the needs of the child where I work, so in the group with several children without diagnosis or support, other children don't have the same time and experience with their key worker.

Children included through presumption are often excluded from class due to lack of support, behavioural challenges, so the child is excluded through inclusion.

Ratios for staffing should take account of the needs/developmental stage of ASL children. Some are at the stage of a toddler or even younger. Adult to child ratios should reflect that.

Some support workers are there over lunch periods and work part-time, yet the support is needed full time.

Difficulties in not having proper resources available for e.g. printing on coloured paper, or having colour overlays needed by some pupils. Example of inadequate provision: document wallets used instead of overlays.

Another member said: “I do not feel that this is being promoted with any success due to pupils requiring additional support not having one to one care and support at all times due to limited staffing in local authorities and Support for Learning Workers supporting several children during one session. A vast majority of these children need the support at all times for consistency, routine and safety. The busy atmosphere in mainstream comes with noise levels that are simply unavoidable in busy environments, triggering sensory overload, lack of concentration, burnout and long exhausting, emotional days for ASD children struggling to cope. There is little to no opportunity to provide rooms away from the busy environment to allow for these children to have a safe nurturing and most importantly quiet place. Those who do have this struggle for staff ratios to access it or feel they are being criticised professionally for not including ASD children into the very rooms they are finding difficult to be in - often the children directing staff towards any exit doors to leave using gestures, visuals and words expressing their choice.

“Many establishments have inadequate equipment and resources to support ASD children inclusively meeting their individual stage of development therefore finding motivators and distractions to promote positive behaviour can be extremely challenging for staff and take up much of their time from working with peers. Many establishments are not adapted properly to ensure the safety of ASD children when they have no awareness of danger. E.g. ceiling to floor glass windows with children who have a need to feel pressure on themselves without the understanding of their own safety.”

Our members are distressed about the impact on children not having their needs met:

“To be honest the inclusion policy doesn’t work as there is no support and I know that children who have ASN issues have gone onto mainstream only to be moved to alternative pathway provision which I think is totally uncalled for and awful for them. We should be meeting their needs from the offset and sometimes the setting is not suitable in the first place as there is no support for these children. Sometimes their needs are complex and need specialist provision which is the right thing to do. But instead, mainstream is presumed when the opinions of childcare professionals should be sought when placing these children who require additional support to access the curriculum.”

Another member said: “Staff are not sufficiently trained and don’t have nearly enough support. Children are having a negative experience.”

Another worker’s view is that mainstream is not delivering for children who are non-verbal, have severe autism or other need “which manifests as violent, unsafe or unpredictable behaviour”. They “have a right to be educated in a way which is right for them, and all children should have their needs met in a holistic way, with appropriate care to maximise potential.”

Working with ASN children is very rewarding, but in a mainstream setting it’s not working. Adult to child ratios need to be reviewed especially if complex needs continue to increase.

What impact, if any, does the presumption of mainstreaming have on the education of pupils who do not require additional support?”

Our members are concerned that these pupils are too often having their education disrupted. Mainstreaming is a good policy if resourced, and this may be happening

in some areas, but otherwise it can be unfair to all. Where it works well, there are undoubted positives and some members said that most children not needing additional support are on target educationally. One commented that “other pupils are very accepting of the pupils with ASL.” Another said nursery children were learning to be more understanding, empathetic and how to treat others who may face challenges – a real positive.

However, the majority said that these benefits were often outweighed by the disproportionate attention required in dealing with those needing most support. This leaves other children without identified needs often not getting the support and input they ideally should have.

Some comments from staff:

“The distressed and challenging behaviour displayed by ASN pupils disrupts the learning for the whole class. Lessons often have to be stopped to clear the whole class, leaving the child in class or learning stopped till the distressed pupil leaves. Tables, chairs and other objects can be thrown on sometimes a daily basis. They have to listen to explicit language and watch their support staff and teachers being verbally and physically abused.

“Children are often frightened by the display of violence and they can often be on the receiving end of the violence. On occasion some pupils see that displaying distressing behaviour like their peers, can get them too out of class. This learned behaviour adds to the workload.”

“As a practitioner you have very little time for other children, your time can be taken up with children with additional needs and this leaves other children to be left behind. Other children can be frightened of the challenging behaviours and can be apprehensive to come to nursery. Within a schools setting it is very disruptive to other children, evacuating classes, violence, adapting lessons to try and suit the group can be difficult. Other children can be apprehensive about coming to school. The violence is a huge issue and being violently attacked is accepted as part of the job. Other children are witnessing violence and verbal abuse within an educational establishment.”

“Children without barriers to their learning are now being given barriers to their learning because the teacher and support staff, mainly the support staff, can't support classes as they are 1-1 support with an ASN child. This is a failure of management and failure

of presumption of mainstreaming. We are giving children adverse learning experiences because children who should have alternative pathways are not able to access these pathways because of council cutbacks.”

“Very high expectations are placed on these pupils to be able to adapt and be resilient quickly around ASD peers and comprehend that an ASD child does not mean to hurt them, and that staff have it all under control. For many children who are not exposed to others with ASD or violent behaviour it can be scary, frightening and disruptive witnessing much of the behaviour ASD children exhibit when they are frustrated, excited or upset. It can also be harassing if an ASD peer looks for a reaction and they are the child who gives that emotional response - therefore it can quickly turn into routine for the ASD child and harassment for their peer.”

For children with additional support needs, in your experience:

. Can you provide details of how these additional support needs were recognised and identified initially? Was there any delay in the process which followed the identification of additional support needs and formal recognition which leads to the accessing of the additional support? If so, what was the delay?

Our members report that there are long delays in receiving support and diagnosis because of the magnitude of additional support needs, with also “years of waiting lists to attend CAHMS, get access to psychologists, speech therapists etc”. Often early years staff help to pick up on signs of autism or other delayed development, sometimes having to raise this with parents. However, resources are a huge factor and meantime the child’s needs are not being properly met, sometimes with impact on others. Delays of a year and often more is a huge amount of time in that child’s life to wait for assessment and diagnosis and support being put in place.

One member said: “Children are distressed within educational settings as the presumption has basically said one size fits all. We have no additional funding in our nursery, no additional staff and yet the numbers of children with additional needs is at its highest. The presumption of mainstream has had a detrimental effect on children's education and experiences.”

Another said: Usually children with significant learning needs are unable to be accommodated at nursery, as managing challenging behaviour is extremely difficult even in a well-resourced, well attended nursery. All children aged 3-5 are offered funded places and so all council nurseries have a waiting list and are always busy.

These children are often sent home from nursery and have no learning opportunity before school. Making the transition even more difficult for children, families and teachers. Diagnosis can be a lengthy process and many families are left without support until their child has been diagnosed.”

Another member said: “The delay is from referral to the children being seen. Diagnosis of any ASN issues normally comes speedily after that but the initial assessment takes a long time and quite often they may have moved on or gone to school.”

And one worker noted: “There is a waiting lists on assessment referrals and supports but quite often parents feel deflated after diagnosis as not much changes in terms of support.”

A final comment: “When talking about ASN we are really referencing autism as this is the most prevalent need that children are presenting with. Within the nursery setting some children have been referred for assessment before they join by their health visitor or GP. Within my setting staff are very alert to additional needs and we will often make referrals to speech and language when autism is suspected. There is a long waiting list due to the increasing number of r [answer truncated to 25000 characters]

Impact of COVID-19 on additional support for learning

The distressed and challenging behaviour was already present in schools before the pandemic, but it has exacerbated the issue. Comments from members:

“For some pupils, they have learned that school is not important, as they had to stay at home for the majority of the time. And the key workers’ children were in school for hubs, which was play based and led by the support staff as teachers were working from home. Pupils were online learning with teachers on iPads. Support staff were never given iPads, let alone training on how to use them with pupils. Transitions didn't happen, so children were left unsupported, which led to anxiety, which has continued.”

“I think it’s easy to hide behind Covid. This failure of education was happening before Covid. Prior to Covid access to specialist provision was always difficult. All the closures of specialist centres and everyone ended up in mainstream.”

“Negative in a sense that I believe local authorities and governments are using it as an

ongoing excuse for the state of affairs in early years education/ education for children today rather than address the real issue that budget cuts and the agenda for inclusion is having on children, staff (well-being) and families.”

“There is an obvious effect on children who have not been well socialised, they react negatively to other children, become overestimated more easily and begin to shut down more quickly in social situations as exposure has been limited. Many children became dependant on electronic devices such as iPads, which makes schooling difficult as they do not have free access to screen time like they have become accustomed to at home.”

One member felt strongly that not enough was done or is being done to ensure schools are cleaned sufficiently, with better hygiene facilities to try to stop the spread of infection, whether Covid or sickness bugs etc, as well as not enough support for staff who are unwell:

“Children have also become more ill when returning to school as they are exposed to germs. Local authorities do not prioritise cleaning of schools which is detrimental to children's health and wellbeing. Staff are constantly put at risk when working with children who have sickness bugs. Staff are not supported to take time off when they are ill which causes massive sickness outbreaks within schools. Covid-19 should have proved the need for more cleaning and better hygiene facilities in schools but most schools are spreading infection, even when staff are diligent, floors and surfaces must be cleaned and they are not.”

The use of remedies as set out in the Act

How are parents/carers and young people included in the decisions that affect the additional support for learning provided to young people and could this be better?

Our minimal comment on this is that there should be more done to ensure parents know about what is available to them and how to access this provision. Members have witnessed parents “at the end of their tether as they know their child is not going into the right environment and they feel powerless.” (Although one member referred to a case where parents went to a tribunal and staff provided evidence to support the child moving from mainstream to specialist provision.) Schools should also engage with parents and ensure the staff who know and work with their child is part of that

engagement, helping parents understand the learning needs of their child. However, in terms of remedies etc., one member pointed out that the presumption of mainstream takes choice/decision making away and it is a waiting game to access specialised support.

“If you don't know you have a voice, then you don't know how to use it. Parents/carers and children have to fight to get the correct support that they deserve.”

Any other comments?

We asked some members to add further comments. Here are some responses:

“I feel that educating children has become a battle to try and make the environment suitable for all, with no resources. Children are distressed at being in unsuitable environments which do not suit their educational needs, and other children miss out on education because of disruption. The presumption of mainstream has been damaging to education and does not suit all. There needs to be better resources and money to sustain this service.”

“ASN provision needs more research. So many children are more capable than what they are achieving academically. School is great and necessary, but more support is required for these children out of school hours, in their home where needed. The violence that children commit at school is also shocking. There should be a more unified approach between abused support staff, teachers, school leaders and local authorities. Social services should be notified when children are causing harm to adults and other children.”

“Consultation panels should, for example, take ten support for learning/complex needs workers from each council in early years, mainstream primary, asl sector, secondary school and have a more informed understanding of how things work, not only on the ground but in different establishments within the same council.”

(NB: Our response is published on the UNISON Scotland website which may be an easier way to read it in full, including references etc.

<https://unison-scotland.org/news/responses-and-submissions/>)

ANNEXE C



Summary of Responses on Additional Support for Learning Inquiry

The Education, Children and Young People Committee is undertaking an inquiry on Additional Support for Learning (ASL).

The Committee issued a call for views which asked questions around: the presumption of mainstreaming; the impact of the pandemic; and dispute resolution. This paper seeks to summarise the views expressed in the responses. The extent to which respondents directly addressed the questions varied. Therefore this paper does not seek to directly summarise responses to each question. This paper is also not intended to be a quantitative analysis of the responses nor is it an exhaustive review. Rather it is intended to support Members of the Committee to understand some of the main themes of these submissions which the Committee may seek to explore further in its inquiry.

Separately, the Committee wrote to all 32 local authorities with specific questions and these are summarised in another paper.

A number of respondents noted that some of the issues around providing support to pupils with complex additional support needs are long-standing and have been the subject of repeated reports. [Most recently in September 2023 the Scottish Government published independent research](#) into the ways pupils with complex additional support needs within Scotland are supported.

Implementation of the presumption of mainstreaming

A clear position from the majority of organisations was that the presumption of mainstream education is correct on a moral and philosophical level. However, often respondents suggested that there is a gap between policy intention and delivery.

One parent's submission said, "the presumption of mainstreaming is a wise one as this means less segregation and more acceptance of those with additional learning needs not only in school but beyond." She continued to say that in practice there has not been enough support for her child: "my child started P1 in August, he is still on half days only due to lack of funding, lack of classroom support and that is not GIRFEC."

The submission from the Children and Young People's Commissioner ("The Commissioner") stated—

"The presumption of mainstreaming was and still is a positive step towards delivering on international human rights treaty obligations, and a step towards creating a more inclusive education system, community and nation."

The Commissioner's response noted that the policy in Scotland seeks to reflect a number of human rights conventions, including article 24 of the [UN Convention on the Rights of People with Disabilities](#). The Commissioner cited the [Committee on the Rights of People with Disabilities](#) which has set out a list of kinds of barriers that disabled children face in accessing inclusive education. These were—

- Lack of knowledge about the nature and advantages of inclusive and quality education and diversity ... in learning for all; ...
- Lack of appropriate responses to support requirements, leading to misplaced fears and stereotypes that inclusion will cause a deterioration in the quality of education or otherwise have a negative impact on others;...
- Lack of political will, technical knowledge and capacity in implementing the right to inclusive education, including insufficient education of all teaching staff;
- Inappropriate and inadequate funding mechanisms to provide incentives and reasonable accommodations for the inclusion of students with disabilities...;
- Lack of legal remedies and mechanisms to claim redress for violations.

An educator said in their submission—

"I have worked with ASL pupils for over 20 years in a specific ASL setting and I am now in a mainstream setting. I believe for 'certain' children the presumption of mainstream can only be made if there is a clear and robust support network for the children. Otherwise, they are being set up to fail and additional pressure is put on themselves/ parents/ the schools/ CAMHS."

The Commissioner argued that while special schools or units may be used to meet children's needs where they cannot be met in mainstream settings but that "the long-term policy aim should be towards the inclusion of all children in mainstream education". The Commissioner quoted the [UNCRPD General Comment 4](#) which said—

"Inclusion involves a process of systemic reform embodying changes and modifications in content, teaching methods, approaches, structures and strategies in education to overcome barriers with a vision serving to provide all students of the relevant age range with an equitable and participatory learning experience and the environment that best corresponds to their requirements and preferences.

"Placing students with disabilities within mainstream classes without accompanying structural changes to, for example, organization, curriculum and teaching and learning strategies, does not constitute inclusion."

Salvesen Mindroom Centre said—

“The benefit of the presumption of mainstream is that it adopts a rights-based approach. For those parents whose children had previously been viewed as having complex needs that went beyond the capacity of a mainstream school, it has been beneficial where it has been the desire of the child and their family for an education at the local school amongst peers. The presumption can add positively to the creation of an inclusive school community, where difference is fully accepted: this brings benefits for all of the children in school. The presumption has meant that families do not have to fight for the inclusion of their child in the catchment school, or parental choice school. The converse is also true, however - where children and families find the local mainstream school cannot provide adequate support it is more of a struggle to make the argument for specialist provision, even where this is clearly in the best interests of the child.”

The Commission on School Reform’s submission stated—

“The presumption of mainstreaming was outlined in the Standards in Scotland’s Schools, etc Act (2000). Prior to that landmark piece of educational legislation the presumption for many children, often arbitrarily labelled by terms such as "remedial" was exclusion from mainstream. It would be desperately disappointing if the fact that the policy has been inadequately resourced (especially since 2007) and badly implemented, was to result in a move away from one of the most progressive and morally laudable policies in the history of Scottish comprehensive education. The presumption to mainstream is a ‘good thing’ if we look at how many were denied access to education because they did not conform to conventional notions of ‘normal’. ... Without the presumption to mainstream such grotesque stereotypes may be afforded the opportunity to reassert themselves.”

This view was echoed by Children in Scotland who said inclusive education “has wide-ranging benefits for all pupils and wider school communities, helping to create a more inclusive and accepting society”. One educator told the Committee, “pupils are naturally very inclusive - signing, learning languages, physically and accommodating etc which is fantastic and they go through school but all pupils are not being supported”. UNISON Scotland’s submission stated—

“Mainstreaming is a good policy if resourced, and this may be happening in some areas, but otherwise it can be unfair to all. Where it works well, there are undoubted positives and some members said that most children not needing additional support are on target educationally. One [Unison member] commented that “other pupils are very accepting of the pupils with ASL.” Another said nursery children were learning to be more understanding, empathetic and how to treat others who may face challenges – a real positive.”

AHDS' submission stated—

“You would have to search for a long time to find a school leader/AHDS member who disagrees with the presumption of mainstreaming policy. However, virtually all would also agree that the policy has not been properly funded to meet its goals and as a result puts enormous strain on schools and can result in negative impacts for pupils with ASN and for their peers.”

The Govan Law Centre's submission stated—

“The presumption of mainstream is rooted in sound ideology – inclusion matters. We echo the sentiment that all efforts should be made to ensure that a mainstream environment is inclusive for all children. Indeed, there are instances where meaningful accommodations have been made that enable children to achieve their potential in a mainstream setting – this is a success. That being said, both the amount of cases to appeal refused placing requests to a special school, and the number of enquiries that we receive regarding concerns about education, are increasing at an exponential rate – the figures speak for themselves – something is not working.”

EIS stated—

“The presumption that, children and young people will be educated alongside their peers in their local schools, where appropriate, is sound. Special Schools and Special Units also have an important and valuable role to play, in more appropriately meeting the needs of pupils for whom mainstream provision may not be a suitable setting. *However, crucially, to be effective, both must be adequately resourced.*” (stress in original)

Barnardo's Scotland suggested that “more attention needs to be given to the root causes of these additional needs [which] encompass a broad spectrum, some of which may have their roots in the impact of poverty or trauma.”

Moray Council said—

“The presumption of mainstreaming does not currently work for the majority of pupils either with ASN or with no identified need. A mainstream environment does not meet the needs of some of our children with a high and complex level of need. The increase in neurodiversity and ADHD has resulted in the mainstream environment is under considerable pressure.”

The Scottish Secondary Teachers' Association said that “it is difficult to meet the needs of all learners within mainstream classrooms”. It suggested that there can be positives and negatives for pupils who do not have significant ASN, it said—

“Pupils who do not have ASNs being taught with those learners who do, benefit from a fuller and more representative experience of our society. Understanding one another better and caring for one another is a key aspect of our education system and the presumption of mainstreaming has increased

opportunities for this to happen. This is a good starting point for learners without ASNs before they leave school and make their contributions to life and society beyond school whether that be in Scotland or further afield.

“A drawback is that mainstream classrooms and curricula need to be purposed and resourced differently given the presumption of mainstreaming. Meeting a greater diversity of need means that resources must be made more general, broadened and less specific to the needs of learners without ASNs.”

One teacher, who is supportive of the policy intention, said in their submission—

“As a teacher, I feel constantly guilty that the children without ASN receive hardly any of my time and attention in class as I have to work with children with ASN first as they do not have adequate support from PSAs and are unable to do anything without support. It is not fair on the children in the class who are keen to learn and deserve the support to flourish too.”

Some parents or carers who responded to the Committee’s call for views appear to have lost faith in the policy approach. One said—

"Presumed mainstream education does not work for children with or without ASN at secondary level. There is a lack of money that prevents the children with ASN from being fully included. Much of “normal” school life is out of reach of these children due to bullying and the environment being poorly managed due to staffing issues. ... I never wanted my child to go to a segregated school...but now I feel that this may have been a better idea.”

The Committee received a submission from a team of researchers from the University of Glasgow involved in a [research project](#) with Newcastle and York Universities (“University of Glasgow Researchers”), exploring the experiences of disabled young people in the Glasgow City Region and the north-east of England. This is “longitudinal research with disabled young people (16-29), drawing on interviews and creative methods. We will also be speaking with parents/guardians and people involved in campaigning.” On experiences in education and mainstreaming the submission stated—

“Our findings suggest that the presumption of mainstreaming is not delivering successfully on inclusive education for pupils requiring additional support. Many of the participants had had very negative experiences with mainstream education. Bullying was common, reported by seven participants. In one case, an individual experienced an assault at school. Participants felt that they were bullied because of their disability; in one case an individual stated they were just seen as different and therefore bullied. Yet, being in an exclusively ASL environment did not always provide protection; Robert who was in an ASL school for both primary and high school stated “I got bullied, all the time at school and it wasn’t a good experience. All of my whole life at school, I got bullied.” For some of the participants who were educated in a mainstream environment, the experience could be considered traumatic; their body language physically changed when they recounted their experiences, as if they were reliving their pain. Mackenzie described his time at school saying: “I

was bullied left, right, and centre due to the disability I've got." Rabbit, who has autism, left school at 15: "high school was a horrible, isolating, bullying experience where every other day, I was trying to check out early, if you know?"

The University of Glasgow Researchers concluded that, "the question of whether the presumption of mainstreaming should remain cannot be separated from questions about what is required to make that space one where disabled children and young people can be safe and flourish."

The Health and Education Chamber of the First-tier Tribunal for Scotland ("ASN Tribunal") considers (among other things) placing requests for specialist schools or units. The ASN Tribunal's submission commented on the legislation which it must interpret when making decisions in relation to placing requests. It said that the presumption of mainstreaming should not be ground for refusing a placing request to a specialist school and that there are sufficient legal grounds to refuse a placing request to a specialist school without needing a presumption of mainstreaming. It said—

"An inclusive education for those who have additional needs would be best served by the removal of a bias in favour of a particular type of education. A bias of this type is the reverse of an inclusive approach."

Aberlour's submission said, "mainstream settings can provide positive and meaningful learning experiences for children who require additional support. However, in our experience this is exception rather than the rule." It said that good practice is when there is "effective partnership working between schools and third sector services supporting the child and their family" and where there is the necessary investment to "to deliver additional capacity to focus on children and families' wider needs". Aberlour also highlighted the practice of "Proactive Inclusion" which it described as "a trauma informed and responsive practice" – this is a whole-school approach and Aberlour said it can improve outcomes for the whole school community.

A theme from submissions is that there is a difference between a pupil being present in a mainstream setting and them receiving an inclusive education. A lack of inclusion when a child with significant needs is in a mainstream setting was highlighted by a number of other submissions. For example, Aberlour's submission said that families have commonly highlighted to it experiences of "isolation, lack of inclusion and inequality" and that reduced timetables are being utilised. UNISON Scotland's submission stated—

"Feedback from our members' experiences shows that the presumption of mainstreaming is not working for most ASN pupils. It is often the case that support staff in primary schools are now allocated or timetabled to work on a one-to-one basis with pupils who require individual support. This support is given in corridors, isolated rooms or areas, (seclusion) with members feeling that the pupils have only occasional educational input from a teacher. Our

members feel that the education of these secluded pupils is left to the support staff.”

Enquire’s submission stated—

“We feel the key issues around additional support for learning in Scotland are not at their core about the presumption of mainstreaming. Based on our work with children, young people, their families and professionals, we firmly believe that, in most cases, issues that are related to the presumption of mainstreaming are symptomatic of broader challenges in the delivery of additional support for learning, rather than inherently being issues with the presumption of mainstreaming itself. We have some reservations that focussing on the implementation of the presumption of mainstreaming in this inquiry may not get to the root cause of some of the issues that children and young people with additional support needs are experiencing.

“From what we hear through our services, we believe that some of the key factors in determining the success of a child’s school placement are not necessarily whether it is a mainstream or specialist provision, but instead whether the child feels truly included, listened to and supported.”

The need to improve transitions for children with complex ASN was an issue raised by several responses. A parent of a young child said—

“My daughter is now in P1. Again the ASL Early Years team have been fantastic at supporting her to settle into P1. They have supported the teacher and PSA to adopt techniques to support her learning and concentration e.g. baskets of activities to support numeracy, use of symbols and boards and ideas for playground support. However, the Early Years Team finishes at Christmas and she will move to the Inclusion Team. As parents we have very little information about what support this will offer to my daughter. We are concerned that they will not know her very well and she will not be as supported as she was.”

Resource issues

The NASUWT reported that a survey it had undertaken with its members in February 2023 found that 35% of responses said that pupils with ASN receive the support to which they are entitled “rarely” and 3% said “never”. The submission continued: “When asked to identify the key reasons why pupils did not always receive such support: 75% cited ‘Long waiting lists for support’; 60% identified ‘Cuts to external services mean that my school cannot access the necessary specialist support’; [and] 57% suggested ‘Budgetary pressures mean specialist support is too expensive for my school to obtain’.”

UNISON Scotland’s submission stated that its members have been experiencing issues obtaining relatively low-cost resources such as coloured paper or colour overlays to support pupils.

The National Deaf Children's Society said that it was concerned that “for too many deaf children this vision of inclusive education is simply not a reality”. It said that the policy intention is “undermined by the depletion of deaf educational specialists and the wider health and social care work force, who are vital in ensuring mainstream education is actually inclusive”.

The EIS said that it is imperative to provide more resources to address the “chronic under-resourcing of ASL provision”. It argued that this would reflect the growing number of pupils with identified needs and the growing complexity of those needs. EIS set out the increase of need across five areas—

- The number of Children and Young People with identified as having ASN
- More Mental Health Issues
- the Impact of the Pandemic
- the Impact of Poverty
- Violence and Aggression

One former teacher’s response stated—

“I stopped working with young people with ASN in 2020. I had over twenty-four years of experience as a Principal Teacher of ASN at that point. When I first came into the post, I had a total of two pupils on my list who has IEPs and FTE 4 teachers. By the time I retired I had responsibility for around one hundred pupils and had FTE 3 teaching staff to support these pupils.”

A response from a High School stated that the current level of resource is making inclusive education challenging. It continued—

“There is a significant impact on the experience of all young people in schools. This is because resources are limited, many of the strategies to support requires enhanced teacher interaction. This results in less time for other young people. Where needs are not fully met due to resources and professional expertise, there are increased episodes of distressed and challenging behaviour. These are distressing for other young people and time intensive for staff.

“The expansion of school responsibility at the same time as a shrinking resource makes the situation challenging to get right.”

Glasgow City Council’s submission stated that “additional funding or a significant shift in resources from the specialist sector to mainstream establishments have been difficult to achieve”. The Commission for School Reform stated—

“For many the reality of the application of the presumption of mainstreaming has been that it was used, not to channel more resources into schools to enhance provision in the more appropriate mainstream setting, but to reduce specialist facilities. The overall level of support has been reduced under the guise of progress. While saying that, many schools have undertaken, at their own initiative and expense, very positive work to support the integration of

young people with additional support needs into the full life of the school. Their experience is that the ways in which the presumption of mainstreaming has been implemented has led specialist provision being closed down or very significantly reduced. No doubt, the increasing financial pressures which exist locally will have encouraged the adoption of approaches such as this.”

A number of submissions referenced “allocated hours”, which appears to be a process used in some local authorities to determine the level of additional resource provided in classrooms. No submission explained how this allocation works in practice however.

Specialist provision

A probationer teacher reported that her colleagues had seen reductions in resource across a number of services: specialist ASL posts; ASL learning bases; community link workers; therapeutic services (e.g. art therapy); and community family support hubs. This echoed the EIS’ submission which said—

“Some children’s needs are best met when teachers can augment the support offered in the classroom with support from specialists such as English as an Additional Language (‘EAL’) teachers or Speech and Language Therapists. Under austerity budgeting, many of these services have experienced significant cuts. Members report increasing difficulty in referring children to the services they need to be fully engaged and involved in their education and even where they can access the service, the nature of the support has changed from direct engagement to one of consultancy for the class teacher. When direct support is offered, there can still be issues with accessibility, as some schools simply cannot afford the transport costs to take the young person to the service.”

The pressure across a range of specialist services was highlighted by a number of submissions. EIS’s submission stated that there has been “dramatically declining numbers of specialist staff and unsustainably large class sizes, leaving significant gaps in provision to be filled by class teachers.” A primary school teacher’s submission stated—

“There is very little specialist support even for a pupil with a CSP. This support is given when requested and has limited impact on meeting the day to day needs of the learner. External agencies appear stretched and therefore leave the support to individual establishments to provide. There is no signposting, schools need to source their own training opportunities and avenues to develop support.”

A teacher from a different primary school stated that to make mainstreaming work there needs to be “specialised class teachers who have some Additional Support Needs training” along with better spaces and enough support staff.

Enable's submission stated—

“Many parents are concerned about continuity and consistency of support, and along with lack of access to specialist teaching support parents have also shared with Enable lack of access to other important supports. Many young people continue to face long waiting times not only to services such as CAMHS but also for support such as speech and language therapy. There continues to be a need for increased and more timely access to these important supports which are vital for the wellbeing of the pupil and inclusion in their educational setting.”

Access to CAHMS and the length of waiting lists was regularly mentioned by respondents. Govan Law Centre stated that it has seen delays in referrals and cases where there has been a three year wait for support, which undermines an early-intervention approach.

The Committee received a small number of submissions from representatives of professions outwith education. The Royal College of Occupational Therapists (RCOT) said that “too many children and young people with additional support needs are waiting too long for the occupational therapy they need to realise their potential and take part in the daily activities/routines (occupations) they need or want to do – at school, at home and elsewhere.” RCOT called for an expansion of the occupational therapist workforce to meet demand. RCOT's submission also explained that OTs work with school staff to “promote environments, relationships and activities that foster the learning, development and wellbeing of all children and young people”. RCOT reported concerns that “that pressures on schools mean children and young people aren't gaining the full benefit of occupational therapy whatever school they attend” due to “a reduction in the availability of teaching/learning support assistants” and in some cases insufficient funding to supply “equipment recommended by an OT, for example special seating or toilet aids.”

The Royal College of Speech and Language Therapists said that services which “appear to be managing the need most effectively are: taking a whole system approach to service delivery; and have a threshold of resource to meet the need.”

The Royal College of Speech and Language Therapists also noted that children's speech and language therapy receives core funding from both local authorities and health boards. It said that the “current model for funding speech and language therapy working with children and young people is complex, vulnerable to cuts and unlike any other comparable service in Scotland”. It argued that “children's speech and language therapy should be jointly funded given how relevant the profession's work is to delivering on health and education outcomes.” RCSLT said that there are high vacancy rates for Speech and Language Therapists.

Training and culture

The submission from the CPG on Children and Young People emphasised that “teachers need greater support to deliver inclusive education” and said there is “a desire for further training and also the need for resources to deliver high-level support”. The CPG also said that school leaders “need training which has equity, inclusion and social justice at its heart to affect necessary culture changes in school settings”.

The submission from University of Glasgow Researchers said that participants in their research project commonly said that “teachers, even some who were identified as providing ASL support, did not seem to have an understanding of their needs”. Other themes were that there were low expectations for disabled pupils and that some schools were reluctant to make minor adjustments to dress codes to accommodate needs.

Aberlour said that its services often report that “children’s needs fail to be met adequately due to a lack of knowledge, understanding or experience within mainstream schools” particularly when supporting children with challenging behaviours. One parent/carer’s submission stated—

“It is very much a lottery of getting your child into a school where staff are willing to learn about and understand a diagnosis like FASD and how it affects the child in the classroom. Thankfully, I found that primary school and worked in partnership to plan a successful transition to high school. I have great communication with the high school and presently his needs are being monitored and met successfully through a LPS and now an IEP. We have regular care plan meetings which involve his social worker.”

The NASUWT’s submission also indicated that some teachers did not feel supported in their role to support pupils’ ASN. A submission from a primary school stated—

“The presumption of mainstreaming has the potential to meet the needs of ASN learners. These needs cannot be met by the current system as the resource of people, time and specialist equipment is not sufficient. Staff training is limited and does not meet the needs of all learners. Furthermore within certain authorities, budgetary constraints prevent schools from purchasing the most appropriate training. The result of this is distressed pupils and distressed staff who do not feel upskilled in dealing with the multitude of needs within every classroom. This then leads to excessive pressure placed on senior leadership teams and impacts on the mental health of all staff involved. Current cover budgets are no longer sufficient to meet the aforementioned.”

Salvesen Mindroom Centre suggested that “the Committee should consider if now is the time to stop characterising support for learning as ‘additional’ to mainstream school provision” and “these needs should somehow become integral, rather than

individualised add-ons. Universal Design for Learning may provide a way forward.” This reflects a key theme of the Morgan Review.

An individual teacher’s submission suggested that she could get conflicting messages of what universal support should be put in place in a classroom to support the needs of two pupils in the same class. She continued, “the term 'universal support' is now being used as a scape goat to suggest that all the suggestions and strategies to help these children can be done singularly by the class teacher which then puts a completely unrealistic amount of work on one member of staff who will often have multiple children they are required to support completely independently without any addition help from outside agencies/SfL/PSAs”.

The Commission for School Reform argued that “there have been significant inadequacies in staff development which limited the necessary change in professional attitudes and, crucially, the culture of many individual mainstream schools across the system.”

AHDS said that its members would like to see “a national level information campaign which seeks to explain the presumption of mainstreaming policy to parents in an effort to reduce the stigma of children attending ASN and to reduce parental/carers complaints about the behaviour of pupils who are being supported to attend mainstream.”

Plans

There are a range of planning mechanisms that Local Authorities may use to support children with ASN. The only statutory plan is the Co-ordinated Support Plan (CSP). The National Deaf Children’s Society said—

“Participation and transparency should be at the heart of making GIRFEC work for deaf children and their families, but all too often parents and deaf children tell us they aren’t given the information to make GIRFEC work. In particular, planning processes and the relationships between ASL plans including both IEP and CSPs, and the other plans such as health plans in the umbrella GIRFEC single child’s plan needs to be made much clearer.”

Local authorities identified the planning mechanisms as important for both supporting the identification of needs and the interventions to be put in place, but also supporting relationships with families.

Views on the planning mechanisms from individuals were mixed. One individual parent said—

“We have a child’s plan meeting every 6 months. And my concerns are taken onboard. They do give him some support but not enough. I get there is only so much they can do with the staff they have.”

A teacher said—

“In my experience, parents of children with ASN are very happy as their children get regular Child's Plan meetings, individual support and a personalised curriculum.”

Some parents/carers expressed frustration that what is included and agreed in a Child's Plan is not delivered. One parent/carer said—

“We have had endless child's plan meetings for the last 9 years but the teachers have historically never adhered to what has been discussed, agreed, and documented.”

An educator's submission to committee—

“I have worked with children for over thirty years. There used to be a very effective system where a multi-disciplinary team, including an Educational Psychologist and Clinical Psychologist worked with the child and their family to ensure their needs were met. I find that the present system for planning to meet children's needs, is over complicated, time consuming, disjointed and ineffective. We seem to be trying to fit children with additional needs into the provision we have, instead of providing provision which matches the needs of the children.”

The physical environment

A theme in the responses was that the physical environment of mainstream schools is not appropriate for all pupils with ASN, particularly those with ASD. The National Autistic Society Scotland said—

“One of the biggest barriers to attending school for autistic pupils is the social, and built, environment. ... the built environment (for example, a large, open-plan school or classrooms) can adversely impact an autistic pupil's experiences. Most traditional school settings come with environmental challenges for autistic young people, from noisy canteens to busy corridors. In particular, the trend towards the 'super-schools' we now see across Scotland creates an environment that conflicts with sensory differences experienced by autistic people.”

Govan Law Centre said that the physical environment can be a particular issue for children who are “neurodivergent with a particular sensory profile”. The GLC said it is perplexed as to why there is a move towards schools becoming larger. It said, “there are far too many children who are unable to access the physical environment of a school causing them to disengage from their education and indeed withdrawing socially from those around them - this must be looked at as a matter of urgency.”

A submission from Dr Hannah Grainger Clemson outlined research she has

undertaken on physical spaces in education settings in Edinburgh. She said, “research at different settings (Early Years, Primary, Secondary, Special) in Edinburgh details the various architectural features, décor, furniture and other resources that have had a positive impact on children with additional support needs in mainstream settings.”

Identification of needs

Moray Council set out how needs are assessed in its area. It said—

“The needs were recognised initially through various different ways:

- 0-5 - this is normally identified through health teams, HV checks and increasingly through our early year's teams.
- Primary - needs are identified through staged intervention process aligned with child's planning
- Secondary - transition from primary processes identify need
- Can be identified through admission request from another area however this can be problematic when a child has been assessed in a different environment and context.
- Some families opt for private assessment and this challenges our local systems and practice which is not always aligned.”
-

Moray Council also said that while there is “sometimes a delay in formal medical diagnosis due to waiting lists and increased demand”, a “staged intervention process support is often already in place as schools are identifying the need in the absence of a diagnosis”. It commented that parents can view medical diagnoses as opening doors to further support when it is already in place.

The National Autistic Society Scotland reported that one of its members had told it that support for children “always had to be sought, it was never offered.” Some of the individual submissions from parents/carers reflected this and expressed frustration at the processes required for needs to be identified (or diagnosed). For example one parent said—

“My child's additional support needs were not recognised nor identified for over 5 years despite numerous requests to the mainstream school to assess and support my child. Before a formal diagnosis no reasonable adjustments were put in place. ...

“I asked for my child to be referred to Speech and Language – they didn't do it despite saying they would. ... It took 10 months to get them to do this. I asked for an OT referral on a number of occasions. ... Every support my child has, has been due to a fight to get school to do anything. They have never offered support or made a suggestion of any support they could do. It is a constant battle, every day.”

An educator said—

“Some children come into school with a formal diagnosis in place and in most

cases some support is provided particularly if the child is a flight risk, aggressive or has a range of conditions requiring personal support. However, I have also seen children who are diagnosed as ASD get very little extra support because they are amiable and not deemed a risk or at risk. Where a child starts school with no diagnosis, it can take a long time (about 3 years) to get a formal diagnosis made. Where I work provision/support will still be given to undiagnosed children if they are struggling in the mainstream setting.”

Another educator stated—

“It is often staff in school who identify additional needs - and signpost for assessment from other professionals when needed. There are long waiting lists for these assessments - sometimes up to 3 years. That said schools do not wait for a diagnosis - a need is a need whether it comes with a label or not and schools strive to meet children’s needs as they arise.”

Salvesen Mindroom Centre’s submission reported that, contrary to the ASL Act, in some cases education authorities are waiting for formal diagnoses before putting support in place.

EIS’ submission stated—

“Not all additional support needs are medical or diagnosable in nature, but many are. In those cases, early diagnosis is helpful. The current lengthy delays between referral, diagnosis and receipt of post-diagnostic support, highlighted above and caused in part by the shortage in Child and Adolescent Mental Health Service (CAMHS) and Educational Psychology Services, are unhelpful to the child or young person, their family and teachers and school staff.”

UNISON Scotland’s submission said that its members have reported “long delays in receiving support and diagnosis because of the magnitude of additional support needs”. It continued—

“Often early years staff help to pick up on signs of autism or other delayed development, sometimes having to raise this with parents. However, resources are a huge factor and meantime the child’s needs are not being properly met, sometimes with impact on others. Delays of a year and often more is a huge amount of time in that child’s life to wait for assessment and diagnosis and support being put in place.”

AHDS said that its members report that “pupils with known additional needs (moving from ELC to primary) are often placed in mainstream without adequate support and need to be seen to fail in that environment before alternative placements are considered.”

The Scottish Network for Able Pupils said that schools can be reluctant to identify pupils has being very able and to put in appropriate support. The National Carer

Organisations said that young carers are not always identified by schools in the context of ASL. The NCO noted that the Government estimates that there are around 30,000 young carers but only around 5,000 are identified on SEEMiS. Dyslexia Science's submission suggested that the system is based on a "fallacy ... that the system is 'needs' led, and that a child does not need a diagnosis before they receive 'support'". Dyslexia Science argued for a more medicalised model of identification.

Forces Children Scotland's submission said that children and young people from armed forces families can attend a number of schools across the UK. It noted—

"Additional Support for Learning legislation is different between England and Scotland. This can cause delays in children receiving support when they move between the two nations. The process is also different with children and young people in England needing a diagnosis, but this is not the case in Scotland. Some families have also reported that they also need to be reassessed upon moving which may cause delays to the support their children receive."

ASN schools or units

Glasgow City Council said that in mainstream settings "parents and staff are often left with the impression that children with additional needs are better served 'elsewhere'". Salvesen Mindroom Centre's submission set out some of the positives and negatives of specialist schools or units it had observed. Some positives included: the daily routine and structure better suited some pupils; small groups and 1-to-1 support is more likely; and that there appears to be better access to health professionals for those settings. Some negatives identified included: options for post-school transitions; high staff turnover and absence; and lack of a consistent national curriculum.

A teacher in specialist provision told the Committee—

"We are very fortunate that we are able to meet many needs for those pupils in our setting. We focus on supporting communication needs such as ASD, Asperger's, ADHD and now emotional and social needs. We are a nurture school with a nurturing approach, and firmly believe in establishing trusting and safe relationships with learners, before we focus on attainment. We use many resources, IT, personal curriculums and tailor experiences to meet individual pupils' needs. We also work alongside our mainstream peers and are able to plan, deliver, assess and evaluate our curriculum delivery so that we are aware of best practice."

The RNIB's submission said that it "believes that meaningful choice should be available for parents/carers of children and young people with vision impairment. Children and young people with vision impairment require input from specialists such as Qualified Teachers of children and young people with Vision Impairments (QTVIs) and Habilitation Specialists to fully access the Curriculum for Excellence." RNIB

called on the Scottish Government to “implement a clear, fully funded strategy to ensure appropriate access to habilitation services for children and young people with [visual impairment] across Scotland.”

The submission from University of Glasgow Researchers said that for participants in their research, “most experiences of exclusively specialist settings were positive ... specialist environments meant smaller classrooms and a quieter, more customised educational experience.” Aberlour’s submission said that “environmental needs can often best be met for children with additional learning needs within specialist provision”.

EIS’ submission noted that there has been a reduction of special schools in recent years, from 141 settings in 2016 to 109 in 2022. It said that some of its branches have “highlighted the impact which the reduction in the number of special schools and support-based units in mainstream settings is having on the delivery of inclusive education for children and young people who are now having to spend significant periods of time in mainstream without the support they were previously getting.”

Enquire’s submission said that “many still see a hard line between ‘mainstream’ and ‘specialist’ provision, and the presumption of mainstreaming legislation seems set up with this clear division in mind. In reality, this has become more and more blurred.” ASL units, bases or hubs in mainstream schools are more common. Enquire noted that the [interpretation section of the 2004 Act](#) which includes ASL units as part of the definition of a special school. This can lead to complexity when considering the legal position around, for example, placing requests. Enquire said—

“Using [the legal] definition, some of the [ASL units] are legally special schools. However, some would not meet this definition, for example if a pupil would not need to be ‘selected for attendance’ at the unit, but rather has access to it by nature of being a pupil at the mainstream school which has the unit on site.

“This leaves complicated scenarios to unpick when considering the legislation on the presumption of mainstreaming, and on other legislation that it interacts with, such as the provisions on placing requests for pupils with additional support needs. ... There are differences in the ways that such units are established and operated across local authority areas. Each may draw different conclusions in how they are legally defined.”

One parent/carer told the Committee—

“In our area there is no special school. Therefore no choice for parents. My daughter absolutely meets the criteria for a special school and we feel let down completely that this isn’t even an option for us.”

Gaelic

Sabhal Mòr Ostaig’s submission said that many GME pupils do not have Gaelic spoken at home “it could be said that all pupils in this situation have additional

support needs”. It said that there is a particular lack of ASL specialists (including for example Educational Psychologists) and “no bespoke Dyslexia screening programme for children” in GME.

The Bòrd na Gàidhlig’s submission said—

“Identifying whether a child requires additional support for learning or whether they require more exposure to the Gaelic language so that they can develop fluent, confident usage can be complex in GME. Competence in English and Gaelic may be different depending on the child’s wider experiences and developmental stage. Consequently, what may appear to be a concern relating to Gaelic fluency can often simply be a particular stage in the child’s journey towards confident bilingualism.”

Rurality

Sabhal Mòr Ostaig’s submission said that there can be particular challenges in supporting complex needs in smaller rural schools. It said—

“In many rural areas pupils with extremely complex needs attend 'mainstream' schools in their communities where specialist educational infrastructure is not available. These schools are often small and almost always under-resourced themselves in terms of both staffing and facilities. As a result of this, pupils with complex needs sometimes have to stay off school as there is not adequate PSA support available to keep them safe. Such situations are both inequitable and disruptive.”

Clarity

Some submissions argued that there should be greater clarity around the presumption of mainstreaming. The Commission for School Reform stated that the current broad definition of ASN has “placed an enormous weight of expectation on the school system to deliver individualised and targeted support to an ever-growing cohort of pupils” and “a more focused definition of the cohort we are referring to would be helpful for policy formulation”. It continued—

“There is also a need for greater clarity in relation to the circumstances which might lead to it being concluded that the education of a young person with additional support needs would best be undertaken in a setting other than mainstream and there is also a need for a review to be undertaken of the scale and range of non-mainstream provision which exists currently so that future capital funding and staff recruitment needs in relation to legitimately-required non-mainstream provision can be identified and secured in future budget decisions both nationally and locally.”

Professor Mel Ainscow provided the Committee with a copy of a recent paper on inclusion and equity. He argued that these terms can be interpreted differently and

that it is important to have a shared understanding of these concepts “particularly in schools, where everybody is so busy”.

The National Deaf Children's Society noted that there are a range of policies and frameworks intended to support the wellbeing for deaf pupils, however, “without clear guidance about how these frameworks and policies should work together, and without adequate resourcing of early support, the benefits of progress in effective identification of deafness will be lost.”

Curriculum and celebrating success

Some submissions argued that too much focus is placed on formal academic achievement within school education and this can overshadow the achievements of pupils with ASN. The Commissioner’s submission stated—

“For the presumption of mainstreaming and inclusion of children and young people with additional support needs to be successful and overcome the barriers identified there must be alternative systems for assessing, recognising and celebrating the success of all learners. These needs to include alternative methods of assessment for those sitting mainstream qualifications and also alternate methods of supporting the achievements of students outwith traditional academia.”

Impact of COVID-19 on additional support for learning

Many responses highlighted lasting effects in relation to mental health and wellbeing and social and emotional issues. Increased need in relation to speech and language and changing relationships between schools and parents/carers and other services were also themes.

Barnardo’s submission stated, “feedback from Barnardo’s frontline services has been that the social isolation and subsequent impact of lockdowns has led to increasing need within schools.” It also said, “one of the biggest impacts of COVID witnessed by Barnardo’s frontline practitioners is the impact on school staff and teachers”.

Stirling Council’s submission reported that since the pandemic there has been—

“Increased complexity of children's needs - with increased levels of dysregulation and distressed behaviours being observed in educational settings; increased number of incidents being reported by education staff as a result of verbal and/or physical aggression (majority of which are linked to low level disruption and less related to violence linked to injury); impact on children's speech, language and communication skills with delays in developmental milestones; decline in school attendance rates - more chronic school based avoidance e.g. for some young people with neurodevelopmental needs such as autism; increasing demand for mental health and wellbeing supports such as access to Kooth, our online digital mental health service, and

our own school counselling service.”

A teacher from a primary school observed that there are “significantly more anxious parents and anxious children”. A response from a high school said—

“Families have a different relationship with schools and more likely to challenge the school. There is less trust in the professional views of staff. Families and young people are less resilient.”

A few respondents were less sure that the pandemic has had a great impact, suggesting that these issues were pre-existing or due to a range of factors.

Attendance

The Commissioner’s response stated—

“Recent reports highlight that attendance rates across all schools are lower than they were pre-covid. Attendance rates for pupils with additional support needs are lower than for those without (87.5% compared with 91.6%) with the gap particularly noticeable at secondary school (84.9% compared with 89.6%).”

The Commissioner noted that [Government guidance states](#), “schools should recognise that poor attendance can often be related to, or be an indication of, an additional support need and they should use their staged intervention processes to ensure that any barriers to learning are identified and appropriate support is provided.”

Moray Council reported that the pandemic has led to a “general increase in social anxiety [and] emotionally based school avoidance”. It said that there can be a “perception that attending school is not the norm”.

The submission from the Cyrenians stated—

“Almost 4 years on from the first lockdown and at here at Cyrenians, we are seeing the impact, with an increase in 16-year-old school leavers with additional support needs who did not fully transition into secondary education. We have a number of young people of school age, who have never ever returned to school or any education since the initial lockdowns took place.”

Aberlour said that its services have reported that “school readiness remains a significant issue for many children” with ASN. A parent/carer’s submission stated that her daughter who has Autism, “had such severe anxiety that, after lockdown, she was unable to go to school. Up until the last year, school were unwilling or unable to support her meaning she was not being educated at all.”

Other services

A number of submissions have highlighted the pressure on certain services has increased since the pandemic e.g. CAHMS. Cyrenians suggested that the result of the pandemic had placed even greater stress on CAMHS. It said that the service is now at “breaking point” and reported that “many families have said their children have been waiting for over 2 years to receive an assessment”. A response from a high school said that thresholds for other professionals providing support are increasing. An individual response from a clinical psychologist working in CAMHS said—

“The pandemic has led to a huge increase in the demand for neurodevelopmental assessments in CAMHS in Lothian. This far outstrips the capacity of the service to meet that demand, as there have also been significant increases in demand for mental health treatment, particularly for eating disorders which has to be the service priority where there isn't enough capacity to cover all needs. Consequently waiting times are 3 years approximately in Lothian at present. This means schools are being asked to provide support on the basis of need not diagnosis which is in line with GIRFEC but can be difficult for those families where able children are masking their difficulties in school and appear not to need help there but then manifest significant emotional and behavioural issues at home, impacting both child and parent mental health.”

The Royal College of Speech and Language Therapists said—

“The clearest indicator of the impact of the pandemic on meeting the communication needs of children and young people has been the increased waiting times for speech and language therapy.

“Recent FOI data highlights the key challenges in waiting times for speech and language therapy in Scotland. A snapshot from May 2023 showed:

- 6503 children waiting for speech and language therapy in Scotland
- The average longest wait for initial contact is 1 year 1 month
- The average longest wait for individualised therapy – 1 year 5 months
- The longest wait in Scotland is over four years This wait has worsened over the last five years:
- The average longest wait for initial contact has increased in the last five years by 7.6 months
- The average longest wait for individualised therapy has increased in the last five years by 10.2 months

“It’s important to note the impact of these waiting times on children. What may seem an inconveniently long wait for an adult can have lifelong implications for a child in a crucial speech and language development window.”

New ways of learning

In terms of how well local authorities are adjusting to meet the changed needs following the pandemic, Children in Scotland’s submission stated, “from the evidence

we have seen, it is clear that local authorities and schools have been making adjustments to meet the changing needs of children and young people, with varying success.” The EIS said recovery from the pandemic requires significant investment “not the ‘business as usual’ approach which we quickly saw emerge.”

The National Autistic Society Scotland said—

“While lots of autistic children and young people struggled with school closures, others, however, benefitted, which shows that a problem is often an environmental one rather than academics. These autistic young people found that having online-based teaching better suited them. ... We are, however, sceptical there has been sufficient learning from that experience, or that remote learning is being utilised to the extent it is needed. There is a need to learn from and embed the online learning practices that were helpful for lots of autistic young people who found it very hard to attend school pre-2020.”

Aberlour said that the pandemic provided an “unexpected positive impact” on the learning for some of the children in its residential houses. They were able to offer a more “relaxed and, programme of learning” which suited the needs of those children. However Aberlour said it has seen “little evidence of the positive aspects of home learning and experiential learning supported during the pandemic that benefitted some of our most traumatised children and young people being embedded within education provision since.” One parent told the Committee—

“Covid was the best thing that happened to my son's education. It was the first time he could be supported on a 1-1 basis at home. He was given a record of content covered via Glow, one of his agreed supports never provided before and he could work at his own pace.”

Glasgow City Council reported that practitioners are increasingly finding creative responses to the challenges they are facing. Salvesen Mindroom Centre’s submission reported that for some pupils the continued use of “digital platforms such as Teams has been really useful”.

Moray Council said that one of the benefits of the pandemic was improved partnership work with families, although this had since reduced.

One educator’s submission said—

“The main focus when we returned was on identifying gaps in learning and planning how we would implement 'catch up' programmes of work. ... I think much more should have been done to address the wellbeing needs of the young people and staff. Throughout the pandemic this was a key feature of staff meetings/lessons/check-ins etc but as soon as schools went back full-time (and the inspection process restarted) the attainment agenda was back at the top.”

The use of remedies as set out in the Act

Responses varied on this theme. Some focused on parental engagement and involvement more broadly. Of the statutory remedies, the tribunal was referenced the most.

Parental involvement and engagement

EIS' submission stated—

“The opportunity for parents, carers and young people to engage in planning processes around the provision of ASL is a key feature of GIRFEC policy. Child planning meetings are now well embedded in educational practice and allow all those supporting the child to meet and plan for future provision ... Parents, carers and young people may be involved in the discussions but if there is a lack of resourcing to support the identified intervention, then this can add to their anxiety, frustration and distress.”

The CPG on Children and Young People said that it is important that “decision-makers recognise that education takes place beyond formal education settings” and that engagement and support of parents and carers could be improved. Connect's submission said—

“There needs to be a culture change, so children are valued equally and their parents' role as advocates are valued and respected. Parents are the leaders in their child's learning and must be supported in this role.”

One educator told the Committee—

“Processes for partnership with parents are very clearly set out in the local authority with excellent guidance for staff and parents on the relevant websites. Parents are included as a vital part of the team. Local authorities need support in managing the expectation and unrealistic demands of parents who are asking for a service that due to 'efficiencies' no longer exists.”

Salvesen Mindroom Centre's submission said that there is “variable practice across, and even within, local authorities” in relation to including families and learners in decision-making. Enquire's response stated that it is important that schools and local authorities provide clear and timely information for parents. It also noted that there can be particular pressures around communication at transition points. Salvesen Mindroom Centre's submission stated—

“We continually observe that, once effective two-way communication between home and school is established or improved, then the child's experience of, and engagement with, school is transformed.”

Govan Law Centre said that including parents/carers and young people in decisions around additional support is essential. It said that local authorities do include families

in planning processes, but while “parent’s views are noted, parents do not always feel that they are heard”. It suggested that the way in which information is presented in these processes could be clearer. GLC also suggested that there could be better communication; it said that it is “not typical for educational psychologists to speak with parents prior to giving recommendations on how to best support the young person in education [which] leaves parents feeling like a stranger who has no understanding of their child is telling them what is best.” GLC also said that it was finding that schools were not escalating cases to the central teams at the local authority, it said it is “concerned about a culture in education which is preventing teachers and school senior management from asking for help and support from the ASN team within the authority.”

The Tribunal

A theme from some local authorities has been the view that the ASN Tribunal can contribute to an adversarial relationship between the local authority and their staff and parents/carers. For example, Glasgow City Council’s submission stated—

“Tribunal process can be perceived as adversarial at times by the Local Authority. It is extremely time consuming and stressful for families, officers and practitioners. Professionals and families can leave the process with fractured and unhelpful, working relationships. Partnership working beyond Tribunal is essential to ensure we keep children’s needs at the centre.

“The Tribunal process could perhaps benefit from processes which would allow the revisiting of outcomes and impact on children, families and local authority staff to improve partnership working and support earlier resolution of conflicts.”

Enable’s submission said it is important “that there is an awareness of the right to advocacy for those parents and young people taking cases to an Additional Support Needs Tribunal, but also that further action is taken to ensure these often stressful processes can be avoided through positive engagement between local authorities and parents on the specific needs of children with additional support needs.”

Govan Law Centre said that the tribunal is working well and the “expertise of the Tribunal is invaluable in terms of determining decisions in relation to children and young people with additional support needs.”

The ASN Tribunal’s submission said that “one area in which there is a barrier to accessing a remedy is in the definition of, and knowledge around, a [co-ordinated support plan]”. The ASN Tribunal can provide remedies around the development of CSPs. It suggested that the statutory criteria for CSPs should be relaxed.

Other remedies

Aberlour said that, in its experience, parents’ awareness of the legal remedies is low. It said “in most cases families are unaware of their child’s rights regarding their learning and education and what steps to take to challenge decisions by schools or

local authorities which they may disagree with”. One individual respondent stated—

“I’ve worked in ASN for over 10 years. I’ve never known a parent to exercise these rights. I have a feeling few will even know if it is their right. Our parents have to fight every inch of the way for the most basic support. We are pushing already vulnerable families to the point of break down because they have to fight for diagnosis, fight for a place, fight for OT, speech, family support etc.”

Scottish Autism’s submission stated—

“Our advice line receives regular contact from parents who are exhausted and burnt out because they are continually fighting against barriers within the system. For example, parents will attend multi-agency meetings where they are surrounded by professionals and can feel intimidated and ignored. While the right to have a supporter or an advocacy worker exists in legislation, many advocacy services are significantly oversubscribed and under-resourced.”

The SPSO’s submission said that the 2004 Act “aimed to provide user friendly and straightforward routes” for dispute resolution and remedies. It continued—

“It is not clear to us, however, that the multiple processes, have met their aims. Although the processes in place for ASL mean that SPSO should not be seeing ASL issues coming through the mainstream complaints process, over the years we have been contacted by parents who have not been provided with the information they need about the options available to them when they wish to either challenge decisions or are struggling to access support.”

The Commissioner’s submission said that it has heard evidence that “parents with the most resource who can make use of the [redress] system” and this contrasts with the data which shows that “pupils who experience social deprivation have a greater likelihood of being identified as having an additional support need”.

Moray Council’s submission stated—

“There is often a perception that statutory remedies are the default position rather than following due process through staged intervention. Places like Govan Law Centre often have the unintended consequence of undermining relationships to the benefit of the young people. Sometimes the processes can cause conflict. The Tribunal system does not appear to be balanced as there would appear to be a bias towards parents/carers rather than LA and encourages confrontational approach rather than resolution. Due to the availability of the processes, reduced officer capacity is often diverted to conflict resolution rather than proactive support. However we do recognise the need for processes in some instances.”

Govan Law Centre run the Scottish Government funded advocacy service, Let’s Talk ASN. It said that “from our caseload that awareness of the service across the country is high”. GLC also said that it “strongly advises” parents to take up mediation and that mediation often leads to evidential hearings being avoided. The ASN

Tribunal noted that mediation is common during its proceedings and “cases are regularly suspended to allow mediation to take place.”

Enquire is the national advice service for additional support for learning. It made a number of “key point” around remedies and dispute resolution. These were—

- Some of the current routes are complex and inaccessible to young people, parents, and carers in distress.
- Many routes require digital literacy skills and access to a computer.
- There is a disparity in the availability of advocacy and support services in navigating different types of disputes resolution.
- There are very few advocacy and support services in Scotland for parents and carers of children with additional support needs who could provide input that may help avoid the need to use any formal dispute resolution processes.
- There is variability across local authorities in access to mediation services. Several local authorities do not commission a specific mediation service, and some of these therefore require parents to directly contact the local authority (whom they often in conflict with) to request independent mediation. This can create a significant additional barrier in some situations, and results in some parents/carers questioning the independence of the process.
- It would also be beneficial to simplify the process for those requesting independent adjudication. Our experience is that there are steps (such as parents needing to name the specific section of the ASL Act where they feel there has been a failure) required for this process that are not required to access other forms of dispute resolution such as mediation. This can be an additional and unnecessary barrier to their use. Independent adjudication is a potentially beneficial process that is very rarely used at present. We would hope that changes could be made to the process that might make it significantly more accessible.

Ned Sharratt
SPICe Research

ANNEXE D



Summary of Local authority Responses on Additional Support for Learning Inquiry

The Education, Children and Young People Committee is undertaking an inquiry on Additional Support for Learning (ASL).

The Committee issued a call for views which asked questions around: the presumption of mainstreaming; the impact of the pandemic; and dispute resolution. Separately, the Committee wrote to all 32 local authorities with specific questions. This paper provides a summary of the responses the Committee has received from local authorities. 25 local authorities have responded and the list of responses is included in the appendix to this paper, the Committee asked for responses by 4 December 2023. Some local authorities also responded to the wider call for views. The Committee asked local authorities for details on the following—

- What parts of Additional Support for Learning provision are working well and what are not, and any reasons they can provide which might help to explain why aspects are working well or not.
- What are the barriers to supporting this provision?
 - Any examples of good practice in this area;
- how the authority supports good relationships with parents and young people, especially where there are disagreements around the provision of additional support for learning and reach collaborative agreement
- How many placing requests have been made over the last 5 years by parents or carers wishing that their children be educated in a specialist Additional Support Needs (ASN) unit or school. And how many placing requests have been made by parents or carers wishing their children to be educated in a mainstream setting as opposed to a specialist ASN setting. The Committee would be grateful for the total numbers, along with the numbers of requests refused and agreed.
- How does the authority ensure that parents and young people are aware of the rights to various remedies under the 2004 Act?
- The Committee is aware that there can be variations in approaches to identification of ASN across local authorities and between primary and secondary schools. The Committee would be grateful if you could briefly set out how you ensure that children's additional support needs are identified and Seemis records are updated to ensure accuracy of the data.
- How does the authority ensure staff have adequate training on Additional Support for Learning provision?

- If parents/carers have a concern about the ASN provision in a mainstream school, what process can they follow to try and get it resolved?
- Where the provision of ASN is not working in specific cases in schools, what can teachers do about that? Is there support that can be accessed? What happens if the matter cannot be resolved?

This paper summarises the responses to these.

What is working well and what is not working well?

Local authorities reported that, in the main, support for additional support needs is working well in both mainstream and specialist settings.

East Lothian Council said that the wide definition of ASN “ensures all needs can be identified and met”. It also highlighted that “nurturing approaches and understanding of adverse childhood experience supports children and young people with social and emotional need to access their learning environments”.

Several local authorities set out their staged intervention approaches which are intended to ensure that the correct support is in place. Local authorities have their own frameworks of staged interventions. Broadly speaking these stages range from making small adjustments within the universal setting, through more significant interventions, and to specialist interventions.

Argyll and Bute’s submission set out three ‘key principles of staged intervention. These were that staged intervention:

- is used as a means of identification, assessment, planning, recording and review to meet the learning needs of children and young people.
- provides a solution-focused approach to meeting needs at the earliest opportunity and with the least intrusive level of intervention. The process involves the child, parents/carers, school staff and, at some levels, other professionals, working together to get it right for every child.
- is designed to be flexible and allows for movement between stages.

Several local authorities specific approaches, e.g. [SCERTS](#) and [CIRCLE](#). A number also said they were using [B Squared](#) to track and celebrate achievements in specialist settings. Several also referenced referred to local ASN strategies (e.g. West Dunbartonshire). Dumfries and Galloway (D&G) explained that following the Morgan Review, it had made a “hard shift away from models of additional support and towards a fully inclusive approach” and developed a new Framework for Inclusion. D&G is seeking a “whole system change” including work in: relationships and rights; resources; policy and procedure; parental involvement and engagement; and workforce development.

Supporting professionals' capacity through career long professional learning was also highlighted in a number of submissions. For example, South Lanarkshire's submission stated—

“We are working to build knowledge, skills and capacity and to support developing an inclusive ethos across educational establishments to meet the huge rise in complexity of need. An understanding of the changing landscape is developing due to training and focused guidance, but this takes time and commitment to change.”

Shetland Islands Council reported an increased recognition understanding of the range of additional support needs and along with this “an understanding that inclusion is the responsibility for all.”

Barriers to supporting provision

A very common theme was that local authorities are reporting both an increase in the numbers of pupils with additional support needs and an increase in complex needs. Several responses reported an increase since the pandemic, particularly in relation to more challenging behaviour. Mainstreaming was considered a positive in the delivery of ASL. However, the proper resourcing of this was seen as a challenge. The responses often contrasted this additional demand with financial constraints.

South Ayrshire said—

“Our main barrier is the volume of need versus the resource and availability of a skilled workforce.”

The City of Edinburgh's response stated that there can be tensions between parental expectations and rights and existing resource – it said that this can “make collaboration and working with parents increasingly difficult.” North Ayrshire stated—

“Funding does not match parental expectations in terms of ASL legislation and GIRFEC. Parental requests and rights around how needs are supported as outlined in ASL legislation are not always able to be met within the financial envelope of Local Authorities, e.g. placing requests to specific enhanced provisions.”

The pressure on specialist services was also highlighted. E.g. South Lanarkshire's response said—

“It is always challenging to move children and young people from specialist to more inclusive, mainstream pathways despite evidence in progress in learning and development, so pressures on specialist educational placements tend to be one way.”

Falkirk's submission stated—

“Sometimes our barriers are about our staff or parents understanding that the ‘best’ option for the child is their current placement. There needs to be realistic understanding about what actually happens in more specialist provision. Sometimes and more often than not, with a few adaptations, the current placement can feel a lot better. This approach to tackling adversity feels tricky but usually builds resilience in better ways for the child than simply changing school.”

Later South Lanarkshire's submission said that while specialist settings continue to be funded, this limits the funding available to mainstream settings to make those more inclusive. It also said that the Morgan Review should receive more attention – including the cultural changes she argued for. Scottish Borders' Council said that “there needs to be more of an ownership of ASL across the whole teaching workforce.” Renfrewshire council stated—

“Strong leadership of ASN is vital to ensure that parents/carers/staff and children understand the principles of inclusion and where this is lacking [it] can be a barrier to ensuring effective support for children/young people in mainstream [settings].”

The availability and retention of specialist staff was highlighted as a challenge. The lack of availability of other services to support complex needs was seen as another issue. This included both public services, such as CAHMS, and the third sector. In terms of the curriculum, a number of responses reflected the desire to better celebrate the achievements of all pupils. City of Edinburgh Council said that for some children the secondary curriculum does not offer “the experiences and outcomes appropriate to meet their needs” and that curriculum reform is therefore urgent.

Several responses suggested that the school estate needs to be adapted to better support inclusive approaches to education. Falkirk Council's response said—

“Our children with Autism and neurodivergent learning needs are increasing, and they require reduced sensory learning environments and access to small group teaching. This requires capital funding.”

Perth and Kinross Council's submission said that many of the underpinning principles of ASL policy are working well, but it also made a number of suggestions of where the policy framework could, in its view, be improved. These included, that the ASN Tribunal is adversarial which affects good relationships with families; CSPs running in parallel with other planning mechanisms; ensuring prompt buy-in from other services to support actions in CSPs; and a more robust legal framework to ensure attendance. The City of Edinburgh Council said that the current statutory guidance is “unhelpfully complex and challenging to implement in practice.”

The lack of options after school for young people with complex needs was seen as

an issue in relation to post-school transitions. The City of Edinburgh said that there is consequently greater demand for young people to stay on in specialist education beyond S6.

Supporting good relationships with pupils and their families

All of the local authorities foregrounded the importance of supporting good relationships with families and pupils. This included a partnership approach and good communication with families, often submissions said that these approaches are achieved through planning mechanisms or local relationships. Clackmannanshire Council stated—

“School headteachers, on a whole, maintain positive relationships with parents/carers, therefore the majority of issues are resolved at the school level.”

Many responses referenced [Solution Oriented Approaches](#) in supporting good relationships with families. Most local authorities also highlighted local parent forums. Adherence to the UNCRC and a rights-based approach was also highlighted by several local authorities as helping to support good relationships with pupils and their families.

Several local authorities suggested that there is a tension between the capacity and resource of local authorities and parental expectations. A number also indicated that there was a challenge for officials to work within adversarial contexts. City of Edinburgh Council said—

“There is significant demand on Local Authorities from placing requests, legal disputes and the ASN Tribunal system. The influence of parental lobby pressure and advice groups is often counterproductive as it sets up adversarial relationships and can give parents unrealistic expectations which puts the council officers in the back foot. Parents often advise other parents that they need to fight the council to get what they need. We need to understand why people feel this way, what their experiences have been, and how we can avoid propagating this adversarial atmosphere. Undoubtedly resourcing is at play here.”

Placing requests

The responses from local authorities set out data on the number of placing requests to special services. Data was presented in different ways by different local authorities. Where data was presented by year, some local authorities' data showed marked increases in the number of requestions to specialist provision (e.g. South Lanarkshire, Scottish Borders, Glasgow), others are less marked but still appear to be on an upward trend (e.g Edinburgh). For a number of other local authorities, the numbers involved are small.

Some also provided data where a request was made for a pupil initially placed in a

special unit or school to be educated in mainstream education. Other local authorities could not provide this data – several explained that this was because such decisions would not be through the placing system and would always be accepted.

Awareness of remedies and parents highlighting concerns

Many of the local authorities said that details of the statutory remedies are advertised on the local authority's website. Some also mentioned parent information leaflets and/or school handbooks where information about dispute resolution may be found. Many also indicated that the services of Enquire would be advertised in this information.

However, some local authorities did not mention options for statutory remediation when discussing how disputes are escalated. These responses would focus on council complaint procedures.

Where statutory dispute resolution was highlighted as being used in these circumstances, normally this would be mediation services. Recourse to the Tribunal was mentioned in relation to placing requests, but tended not to refer to the wider powers of the Tribunal to consider issues to do with CSPs and disability discrimination claims. Adjudication was also not mentioned by any of the respondents.

Some local authorities expressed disappointment with rulings of the ASN Tribunal in relation to placing requests, suggesting that the tribunal took too little account of the financial pressures that local authorities are under. The City of Edinburgh Council said—

“Within Local Authority budgets additional support for learning costs cannot be predicted and are often outwith the control of officers leading to significant financial risk and pressure. The increasing demands for [out of area] provision and the inclination of the ASN Tribunal to support parental placing requests to independent schools is increasingly adding additional pressure; costs associated with out-with placements is the main budget overspend in most local authorities alongside transport. Independent school placements can cost anywhere between £70K to £180K per year with children and young people often remaining in placement for over 8 years. These placements cannot be predicted or planned.”

Later the City of Edinburgh Council's submission said—

“It is unclear what quality assurance is carried out on these decisions to see if the child's experiences and outcomes are improved as a result. Whilst there can be learning for local authorities from the ASN Tribunals, it is often the case that the child would be better served within their local authority with a review of their needs and supports and inline with the principles of inclusion set out in legislation.”

Identification and Seemis records

Respondents explained that specialist staff support schools have to consistently identify and record additional support needs.

Many responses also stated that they undertook regular audits of the data on Seemis.

Training for staff

Training for teaching and support staff was seen as key. Respondents quoted a range of training that is available locally. This could be through training at induction, general training, or specialist teams such as speech and language or mental wellbeing professionals providing training for staff.

North Ayrshire said that they hold regular “ASN coordinator meetings” which include identifying training needs.

Shetland Islands Council noted that there can be a challenge to support classroom teachers to access training in this area among other CLPL priorities.

A small number of respondents also suggested that Initial Teacher Education should focus more on inclusive practice in the classroom. South Lanarkshire said newly qualified teachers (who have had a year as probationers) can lack skills to support inclusive education. Perth and Kinross’ submission made a similar point but went on to say that this was being addressed “by increased learning opportunities focused on inclusive practice [being] built into the probationers’ programme.”

Teachers’ concerns

Generally, respondents said that if teachers had a concern about the support a pupil is receiving, they would be able to escalate through their school or central support teams, who would be able to provide advice or additional support. This was often framed withing the local staged approaches.

Others provided examples of horizontal support networks. For example, Renfrewshire Council’s submission stated—

“We have a [forum] for leaders of ASN where specific cases/tricky issues can be raise by pupil support coordinators/head teachers. These groups, supported by our Educational Psychologists and other partners, enable peer support to be offered to try to find solutions to meet the needs of the learner. ... We also have [specialist Education Officers] who can provide [advice and guidance].”

Ned Sharratt
SPICe Research

Appendix: List of LAs

At the time of writing the local authorities that have responded to the Committee's letters are:

- [Aberdeenshire Council](#)
- [Angus Council](#)
- [Argyll and Bute Council](#)
- [City of Edinburgh Council](#)
- [Clackmannanshire Council](#)
- [Dumfries and Galloway Council](#)
- [Dundee City Council](#)
- [East Lothian Council](#)
- [East Renfrewshire Council](#)
- [Falkirk Council](#)
- [Fife Council](#)
- [Glasgow City Council](#)
- [Inverclyde Council](#)
- [Midlothian Council](#)
- [Moray Council](#)
- [North Ayrshire Council](#)
- [Perth and Kinross Council](#)
- [Renfrewshire Council](#)
- [Scottish Borders Council](#)
- [Shetland Islands Council](#)
- [South Ayrshire Council](#)
- [South Lanarkshire Council](#)
- [Stirling Council](#)
- [West Dunbartonshire Council](#)
- [West Lothian Council](#)