



Additional support for learning – Scotland

Information for families

Incorporating **The Lady Hoare Trust**

Introduction

All parents want their children to do well at school. Some children may need more support than others to achieve their potential, and this may be because they have a disability, medical condition or other additional needs. These can mean your child has difficulties in learning or using school facilities. This guide provides information about the support available for children with additional support needs (ASN).

Contents

What are special educational needs?.....	3
Choosing a school.....	7
Transitions.....	8
Planning to leave school.....	8
Information for parents.....	9
Supporters and advocates.....	10
What you can do if you're unhappy	10
Mediation.....	10
Independent adjudication.....	11
Additional support needs tribunals	11
Equality and accessibility.....	12
Contacts for further information and advice.....	13



What are additional support needs?

Under the Education (Additional Support for Learning) (Scotland) Act 2004, as amended in 2009, a child or young person is seen as having additional support needs if, for any reason, they would benefit from extra help with their learning. A child's education could be affected by a range of factors such as.

- a physical impairment
- a sensory impairment
- a long term medical condition
- social, emotional or behavioural difficulties
- a learning disability
- being particularly gifted
- having English as an additional language
- being a young carer or the sibling of a disabled child

- bullying
- bereavement.

There will be many other examples besides these. The effect of these factors will vary from child to child. In all cases, though, it is how they impact on each child's ability to learn that is important, and this will determine the level of support required.

Education authorities have a duty to identify and support all children over the age of three who would benefit from extra help. They must also provide support for children under three if they have additional support needs because of a disability.

Freephone helpline: **0808 808 3555**
Web: **www.cafamily.org.uk**

I think my child might have additional support needs

It is important that additional support needs are identified as early as possible so that appropriate support can be put in place.

As a parent, you could be the first person to notice that your child might need extra help with their learning. You can discuss your concerns with any professional who is already involved with your child, for example their class teacher, social worker, health visitor or family doctor (GP). You also have the right to ask your education authority to carry out an assessment to see if your child has additional support needs. Professionals working with your child may pick up on a need for extra help. They should discuss any concerns with you and involve you throughout.

Assessing additional support needs

Assessments of your child's abilities and needs may be carried out in a number of ways. Some of these will be informal observations by nursery staff and teachers during the normal nursery or school day.

Assessment and support for children under three years of age

If your child is under three years old and has additional support needs because of a disability, you as a parent, or any professional working with your child, such as a health visitor, GP or community paediatrician, can refer your child to the education authority. The education authority must provide additional support. A multi-agency community team may be formed

A Co-ordinated Support Plan is for children with more complex needs. It is a legal document which details the support your child requires and how this will be organised.

If your child's needs are more complex, then other more formal assessments or examinations might be used. Examples include:

- an assessment by an educational psychologist of a child's difficulties in learning
- a social worker looking at how issues at home are affecting a child's education
- a speech and language therapist carrying out an examination of a child's communication difficulties
- an assessment for a particular condition such as ADHD or Dyslexia.

to assess your child's needs and to plan support with you. This team could include a health visitor, a pre-school home visiting teacher, a social worker, and perhaps someone from a voluntary agency. One of them may act as a key worker – a single point of contact for you and the other professionals. Support will vary according to your child's needs but is likely to focus on helping their development and preparation for pre-school.

Getting it right for every child (GIRFEC)

This is a national programme that aims to improve outcomes for all children and young people in Scotland. It is based on eight indicators – safe, healthy, achieving, nurtured, active, respected, responsible, included. It applies to all services working with children – social work, health, education, police, housing and voluntary organisations. The aim is to develop a common, co-ordinated approach across all

services, for example using shared language, being child-centred and a single assessment. The Scottish Government aims for each child in the future to have just one plan. Until this approach becomes more established, children may have separate plans for their education, health and social care, for example. Each plan should take account of what is set out in the others. You can find out more from the Scottish Government website: www.scotland.gov.uk/gettingitright.

Putting support in place

Depending on your child's needs, additional support might be provided in a range of ways, for example:

- a classroom assistant providing one-to-one support
- working in small groups
- 'buddy' support from an older child
- adapting the curriculum
- input from a physiotherapist, or speech and language therapist
- attending a specialist unit or a special school.

Planning your child's additional support

The way that your child's additional support is planned and monitored will depend on his or her needs. Personal learning planning (PLP) should be used with all children who have additional support needs. This involves teachers working with parents and children to set goals for a child's educational development, regularly reviewing progress and the effectiveness of additional support. For some children,

an individualised education programme (IEP) might be required. This may be used where there is a significant adaptation of the curriculum, or to help co-ordinate input from a social worker or health professional. It is a written document and should be detailed and specific. In some local authorities, these plans have a different name. You can ask your child's school for more information. Again, you and your child should be fully involved in setting goals, deciding on the type of support provided, and following progress.

The Co-ordinated Support Plan (CSP)

If your child has more complex needs, a Co-ordinated Support Plan (CSP) might be required to organise the support they receive. Unlike personal learning planning and the individualised educational programme, the Co-ordinated Support Plan is a legal document which details the

Freephone helpline: **0808 808 3555**
Web: **www.cafamily.org.uk**

support your child needs and how this will be organised. It is intended to ensure better co-ordination of services from education and other agencies like health and social work. For a Co-ordinated Support Plan to be considered all the following criteria must be met:

- your child's support needs result from complex or multiple factors which are having a significant impact on his or her ability to learn
- your child's needs are long term and are likely to continue for more than a year
- significant additional support from the education authority and one or more other agencies such as social work or health is needed.

Professionals working with your child may request that a Co-ordinated Support Plan is prepared for your child. As a parent, you have the right to ask the education authority to establish whether a plan is

needed – you should do this in writing. Once a request has been received the education authority has four weeks in which to decide whether or not to prepare a plan. If the education authority decides not to prepare a plan, it must give reasons.

The education authority should prepare a Co-ordinated Support plan within 16 weeks. It may take a little longer if, for example, the results of a particular assessment are available in time. The education authority must tell you if there will be a delay. However, the process should not take longer than 24 weeks. The education authority must ask for your and your child's views, and take them into account in preparing the plan. Usually, this will involve attending an initial meeting with school staff and professionals from other agencies, as well as being consulted about the draft plan.



As a parent of a child with additional needs, you should be involved in deciding where your child is educated. Most children with additional support needs will attend their local mainstream school.

What is in the Co-ordinated Support Plan?

A Co-ordinated Support Plan includes information about:

- your child's abilities
- why your child has additional support needs
- educational objectives for your child
- the additional support your child needs – this should be clear, specific and, where possible, quantified e.g. small group teaching for three, 45 minute sessions per week
- who will provide the additional support
- what you and your child think about the plan
- the person responsible for co-ordinating your child's plan

Once in place, your child's Co-ordinated Support Plan should be reviewed every 12 months. However, if, at any time, you think there has been a significant change in your child's additional support needs you can ask the authority to review the plan earlier.

Choosing a school

As a parent of a child with additional needs, you should be involved in deciding where your child is educated. This could be at the local school, a mainstream school with a special unit, a special school or residential school. You also have the right to educate your child at home. Most children with additional support needs will attend their local mainstream school. Under the Standards in Scotland's Schools etc. Act 2000, all children must be included in mainstream school unless this would be unsuited to a child's abilities and needs, there would be an adverse affect on other pupils, or it would incur unreasonable costs.



Freephone helpline: **0808 808 3555**
Web: **www.cafamily.org.uk**

If you would prefer your child to attend a school other than the local school or a school recommended by the education authority, you can make a placing request for your child to attend a different school. This could be:

- any school or pre-school managed by an education authority in Scotland
- an independent nursery which works in partnership with an education authority in Scotland
- an independent special school or a grant-aided special school in Scotland
- a school in England, Wales or Northern Ireland that provides wholly or mainly for children with additional support needs.

Transitions

All children and young people move through different stages in their education – starting nursery, moving from primary to secondary, or perhaps moving to a school in another area. At these times, early planning and clear communication between everyone involved in supporting your child is important. You and your child should be involved in the planning process and your views and your views taken into account.

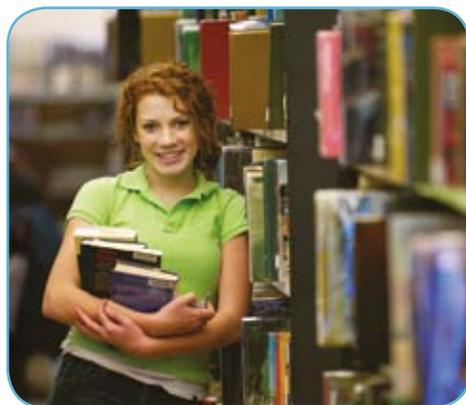
Education authorities should begin planning for changes in school education earlier than 12 months before the change. This will include asking for, and taking account of, advice and information from other agencies such as health and social work. The education authority is required to pass information on to schools and other agencies at least six months before the change. In the case

of entry to pre-school, provision planning should start at least six months before, and information should be passed on at least three months before your child starts.

Planning to leave school

Planning to leave school should begin at least 12 months before a child or young person is expected to leave. The education authority must request information from agencies likely to be involved with the child or young person on leaving school, such as Careers Scotland, or a further education college. It must pass on information to such agencies no later than six months before the expected leaving date.

It must also seek and take account of both your and your child's views, and the school must make sure that your child has information about post-school options such as training or work placements, and further or higher education. If your child has a Co-ordinated Support Plan, the co-ordinator will take the lead in transition planning.





See also our guide *Preparing for adult life and transition – Scotland*, available by ringing our freephone helpline on 0808 808 3555.

Your child's views

Education authorities must ask children and young people what they think when assessing and planning additional support, and take their views into account. Your child should be involved in making decisions about their education, including setting learning targets, contributing to the assessment of their needs, and transition processes. Some children and young people may need extra support and time to express their views and this should be provided.

Sometimes there are differences of opinion. If you and your child have different views, it is important that both are listened to and recorded separately with respect for any differences of opinion.

Parents' views

Education authorities have a duty to ask for your views and take them into account in making decisions about additional support for your child. You know the most about your child, so your views and the information you provide are very important.

Things you may want to consider when giving your views are:

- any health needs your child has
- your child's physical, communication and personal skills
- your child at home, for example their behaviour at home, any hobbies and interests, relationships with families members
- your child at school, for example what your child enjoys, problem areas, relationships with peers
- your child's behaviour
- what help is being provided and whether it is working
- what help you think your child needs.

Information for parents

Each education authority must publish information about additional support provision in their area including:

- procedures for identifying children and young people with additional support needs,
- arrangements for resolving disagreements,

Freephone helpline: **0808 808 3555**
Web: **www.cafamily.org.uk**

- sources of support, for example a local advocacy service,
- details of a named person who parents can contact for further information and advice.

Specialist advice and help about education issues may be available from voluntary organisations and support groups associated with your child's specific condition or disability. Local parent support groups may also be able to provide information and support. Contact a Family can put you in touch with support groups throughout Scotland.

Supporters and advocates

You may be confident about getting your views across, but if you feel you need help to do this it is available. Parents, and young people aged 16 and 17, have the right to have a supporter or advocate present at any discussions or meetings with the education authority. A supporter might be a friend or relative who can offer moral or emotional support, or perhaps take notes to help you remember what was said. An advocate is someone with special advocacy

You can appeal to an Additional Support Needs Tribunal if you want to challenge a decision about a Co-ordinated Support Plan (CSP) for your child.

training who can speak on your behalf and represent your views at meetings. An advocate may also be a supporter. Contact a Family can help you to find support groups and advocacy services in your area – call our freephone helpline on 0808 808 3555.

What you can do if you're unhappy

As a parent you should be encouraged to be fully involved in decisions about your child's additional support needs. It is hoped that, by developing a relationship and ongoing dialogue with the professionals working with your child, it should be easier to sort out any disagreements informally. However, if it feels that a solution cannot be reached there are a number of options available

Mediation

Every authority must make provision for free, independent mediation services. This is a way of resolving differences and building a more positive relationship with the help of an impartial third person. A mediator will meet separately with you and with someone from your child's school, or education authority, to help clarify issues, concerns and desired outcomes for each party. After that, both parties meet together with the mediator to work towards a mutually-agreed solution. Parents may bring a supporter or advocate. The mediation process is voluntary. You are encouraged to use mediation as a first option but there is no obligation to do so

Independent adjudication

If a child does not have a Co-ordinated Support Plan and the dispute does not relate to issues around co-ordinated support plans, then it can be referred to independent adjudication. This is where an independent expert reviews the case and makes a decision or a series of recommendations. Independent adjudication is a paper exercise although the adjudicator may ask either party for further information. The process is not legally binding, but both parents and the education authority are expected to abide by the outcome. You can make a referral to independent adjudication when, for example:

- you disagree with the education authority's decision that your child does not have additional support needs,
- the education authority has refused your request for a specific type of assessment,
- you disagree about the level of additional support your child is getting.

Independent adjudication does not cover disagreements relating to placing requests, or matters that can be taken to the Additional Support Needs Tribunal.

Additional Support Needs Tribunals

You can appeal to an Additional Support Needs Tribunal if you want to challenge a decision about a Co-ordinated Support Plan (CSP) for your child, and in certain other circumstances. You can make a reference to the Tribunals if you are unhappy with:



- a decision to prepare, or not prepare, a co-ordinated support plan
- a decision to continue or discontinue a Co-ordinated Support Plan following a review
- the length of time it is taking to decide whether a plan is needed, prepare a plan, or review a CSP
- a decision to refuse your request to establish whether your child requires a co-ordinated support plan, or your request for an early review
- some of the information in your child's plan
- the failure to provide the additional support included in the CSP
- a decision to refuse your placing request where your child has a Co-ordinated Support Plan or one is being prepared.

Freephone helpline: **0808 808 3555**
Web: **www.cafamily.org.uk**

Even if no Co-ordinated Support Plan is involved, the Tribunal will deal with appeals on:

- the refusal of placing request to a special school
- failures over post-school transition arrangements
- issues related to disability discrimination under the Equalities Act 2010.

Equality and accessibility

Equality Act 2010

It is unlawful for any school or provider of further education, higher education, adult and community education to discriminate against disabled pupils (including prospective pupils), under the Equality Act 2010. The Equality Act is a law that replaced the previous Disability Discrimination Act.

The Equality Act defines disability as ‘a physical or mental impairment, which has a substantial and long-term adverse effect on a person’s ability to perform normal day-to-day activities’. This includes a range of conditions, for example mobility and sensory difficulties, mental health issues, epilepsy, AIDS, diabetes and muscular sclerosis. It is against the law for schools to discriminate against a disabled child for a reason relating to their disability in:

- admissions (unless this is part of a permitted form of selection)
- education and associated services, including schools trips, extra curricular activities, teaching and learning, and school sports
- exclusions.



A school would be classed as discriminating against a disabled pupil, or prospective pupil, if the pupil is treated less favourably and this cannot be justified. Also, discrimination includes where the school failed to take reasonable steps to ensure a disabled pupil is not at a substantial disadvantage compared to non-disabled pupils.

If you feel that your child has been discriminated against, contact the Equality and Human Rights Commission (EHRC) – contact details on page 14.

Accessibility Plans

Education authorities also have a legal duty to prepare accessibility plans to improve access to schools for disabled pupils under the Education (Disability Strategies and Pupil's Records) (Scotland) Act 2002. These plans must cover the following areas:

- the school environment; for example, induction loops, wheelchair access, seating, arrangements for break times, and after school clubs
- the curriculum for example, accessible teaching approaches and strategies, materials in Braille and large print, arrangements for school trips and arrangements for exams
- information normally provided in writing by the school for example, school handbooks, general school information and display charts in the preferred format of the pupil.

The plans are available from the education authority for anyone who wishes to see them and may be helpful to parents when thinking about a suitable school.

Contacts for further information and advice

Contact a Family has information on local and national parent support groups. Most large Scottish charities and organisations that deal with different disabilities have their own education advisors, or produce guides to various aspects of education. For further details about these organisations, contact our Edinburgh office on 0131 659 2930, or call our freephone helpline on 0808 808 3555.

Additional Support Needs Tribunals for Scotland

Tel: 0845 120 2906

Email: inquiries@asntscotland.gov.uk

Web: www.asntscotland.gov.uk

Produce a guide to Tribunals for parents and for young people.

Common Ground Mediation'

Tel: 0131 664 9324

Mobile: 07760 486 465

Email: info@commongroundmediation.co.uk

Web: www.commongroundmediation.co.uk

Independent mediation service.

Education Law Unit – Govan Law Centre

Tel: 0141 445 1955

Email: advice@edlaw.org.uk

Web: www.additionalsupportneeds.org.uk

An expert legal resource in the field of school education, with a particular focus on the rights of disabled pupils and pupils with additional support needs.

Enquire – the Scottish Advice Service for Additional Support for Learning

Tel: 0845 123 2303 Helpline

Text: 0131 222 2439

Web: www.enquire.org.uk

Produces The parents' guide to additional support for learning factsheets on a range of topics, such as transport to school and taking part in meetings about your child's education, as well as a series of booklets for young people.

Freephone helpline: **0808 808 3555**

Web: **www.cafamily.org.uk**

Equality and Human Rights Commission (Scotland)

Helpline: 0845 604 5510

Text: 0845 604 5530

Email: scotlandhelpline@equalityhumanrights.com

Web: equalityhumanrights.com/scotland

Works to eliminate discrimination, reduce inequality, and protect human rights.

Lead Scotland – Linking Education and Disability

Tel: 0131 228 9441

Email: enquiries@lead.org.uk

Web: www.lead.org.uk

Aims to widen access to education for disabled young people, adults and carers. Provides information, advice and guidance on inclusive learning opportunities.

RESOLVE: ASL

Tel: 0131 222 2456

Email: smitchell@childreninscotland.org.uk
Independent mediation service.

Schoolhouse

Tel: 01307 463 120

Web: www.schoolhouse.org.uk

Information and support for home based education.

Scottish Child Law Centre

Tel: 0131 667 6333

Tel: 0800 328 8970 – Helpline for under 18s

Email: enquiries@sclc.org.uk

Web: www.sclc.org.uk

Independent legal advice on any issue affecting children and young people.

Includes Take Note, the National Advocacy Service for the additional support needs tribunal for Scotland is available to children, young people, their families and carers who believe that they need to make a reference to the Additional Support Needs Tribunal. Run in partnership with Barnardo's.



Written by Leslie Gray and Neil Todd.
Updated by Leslie Grey April 2012.

Social networking

Contact a Family is on Facebook and Twitter. Join us at:

Facebook

[www.facebook.com/
contactafamily](http://www.facebook.com/contactafamily)

Twitter

www.twitter.com/contactafamily

Podcasts

You can download podcasts from our website at:

[www.cafamily.org.uk/news/
podcasts.html](http://www.cafamily.org.uk/news/podcasts.html)

iTunes users can listen to our podcasts at:

www.cafamily.org.uk/itunes

Videos

You can watch videos on our **YouTube** channel at:

www.youtube.com/cafamily

Freephone helpline: **0808 808 3555**
Web: **www.cafamily.org.uk**

Getting in contact with us

Free helpline for parents and families
0808 808 3555

Open Mon–Fri, 9.30am–5pm

Access to over 170 languages

www.cafamily.org.uk
www.makingcontact.org

Contact a Family Head Office:

209-211 City Road, London EC1V 1JN

Tel **020 7608 8700**

Fax **020 7608 8701**

Email **info@cafamily.org.uk**

Web **www.cafamily.org.uk**



Language Line
services

Other information booklets available

This guide is one of a series produced for parents and groups concerned with the care of disabled children. A full list of Contact a Family publications is available on request or can be downloaded from our website www.cafamily.org.uk

- Concerned about your child? ^(UK)
- Understanding your child's behaviour ^(UK)
- The tax credits guide ^(UK)
- Working ^(UK)
- Siblings ^(UK)
- Disabled children's services in England and Wales ^(England & Wales)
- Getting direct payments for your disabled child ^(England & Wales)
- Dealing with debt ^(England & Wales)
- Preparing for adult life and transition ^(England & Wales)

Registered Office: 209-211 City Road,
London EC1V 1JN
Registered Charity Number: 284912
Charity registered in Scotland No. SC039169
Company limited by guarantee
Registered in England and Wales No. 1633333
VAT Registration No. GB 749 3846 82

® Contact a Family is a registered trade mark
Although great care has been taken in the
compilation and preparation of this guide to
ensure accuracy, Contact a Family cannot take any
responsibility for any errors or omissions.