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**REPORT TO: CHILDREN AND YOUNG PEOPLE'S SERVICES COMMITTEE ON  
27 MAY 2015**

**SUBJECT: ADDITIONAL SUPPORT NEEDS IN MORAY**

**BY: CORPORATE DIRECTOR (EDUCATION AND SOCIAL CARE)**

**1. REASON FOR REPORT**

- 1.1 This report updates Committee on current trends in relation to Additional Support Needs (ASN), changes to the allocation of Exceptional Support Funding (ESF) and potential risks and pressures and what the service is proposing to do to address these.
- 1.2 This report is submitted to Committee in terms of Section III C (1) of the Council's Scheme of Administration relating to exercising the functions of the Council as Education Authority.

**2. RECOMMENDATION**

- 2.1 It is recommended that Committee considers and notes the: -**
- (i) content of the report;**
  - (ii) improvements made to the allocation of Exceptional Support Funding (ESF);**
  - (iii) action taken in relation to identified risks and pressures reported in 2014; and**
  - (iv) further action planned throughout 2015.**

**3. BACKGROUND**

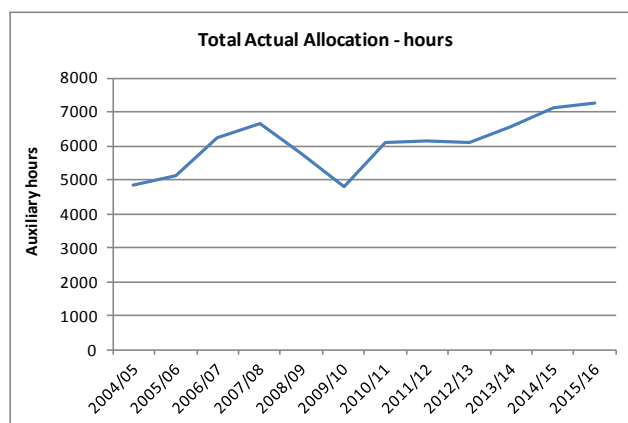
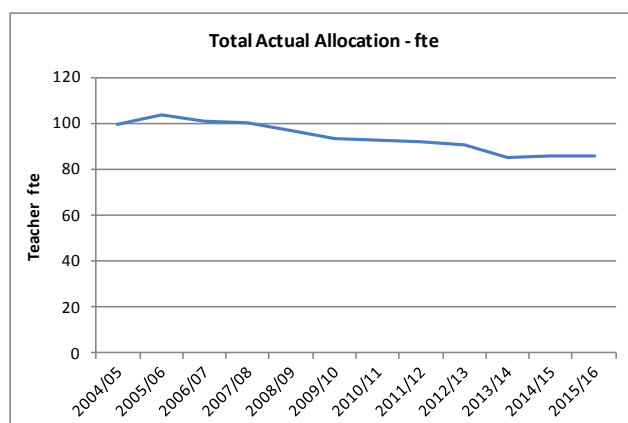
- 3.1 The Education (Additional Support for Learning) (Scotland) Act 2004 provides the legislative framework to ensure those children who require additional support are able to get that support in order to meet their full potential. This legislation was further amended in 2009, and the amendments became law in November 2010. This Act aims to ensure that all children and young people are provided with the necessary support to help them work towards achieving their fullest potential. It also promotes collaborative working among all those supporting children and young people and sets out parents' rights within the system.

- 3.2 There are many and varied reasons why a child or young person may need additional help, their education may be affected by:
- Motor or sensory impairments
  - Bullying
  - Being particularly able or talented
  - Bereavement
  - Interrupted learning
  - Learning disability
  - Being looked after by the local authority
  - Learning difficulty
  - Parental issues e.g. substance misuse or mental health problems
  - Having English as an additional language
  - Poor school attendance
  - Emotional or social difficulties
  - Being young carers
- 3.3 The above list merely provides a guide to the types of issues that may impact upon a child or young person's education, it is not assumed that additional support would be necessary except in the case of children and young people who are looked after. The 2009 amendment to the legislation deemed that all looked after children and young people have additional support needs unless the education authority assess otherwise.
- 3.4 Following the 2009 amendment, national statistics have shown an increase in relation to those pupils receiving additional support from:
- 2010 - 69, 587  
2014 - 140, 542  
(figures published by Scottish Government).
- 3.5 There are clear links between all the policy drivers and the ability to deliver the service required in order to meet the needs of all of our children and young people. Getting it Right for Every Child, Curriculum for Excellence and the Early Years Collaborative all recognise the need to support at an earlier stage and promote earlier intervention. The research evidences the link between improving outcomes for children and young people in terms of attainment, achievement and positive destinations post school through early intervention.
- 3.6 In addition to the improved outcomes as outlined above the other pressure that needs to be acknowledged is the pressure resulting for staff and that we may fail to provide adequately for children and young people with challenging behaviour and needs. Where staff are feeling inadequately supported there is an increasing risk of stress and absence, and potentially action against the Council for failing in their duty of care towards staff.
- 3.7 Following the restructure of Education and Social Care in Moray, the provision of Additional Support Needs (ASN) now sits with Integrated Children's Services, alongside children and families social work and criminal justice services. As was reported to Committee on 13 August 2014 (para 11 of the

minute refers) the number of officers involved in the support and delivery of the service has been reduced over recent years.

- 3.8 The budget allocated to ASN over the past five years has been increased in line with pay awards. This is in addition to the core funding allocated to schools through the Devolved School Management scheme. There was also an increase made to the ASN budget of £500,000 agreed by Moray Council in 2 July 2014 (para 14 of the minute refers). This funded the Education Support Officer (ASN) post, described at para 3.28 of the report agenda item 12 submitted to committee in August 2014, and additional auxiliary hours which were allocated to schools.

The following graphs demonstrate the allocation of both teaching and auxiliary hours in Moray since 2004.



- 3.9 In 2013/14 a new allocation process was introduced for Exceptional Support Funding (ESF) in order to ensure a fair and equitable process was in place across Moray. This process worked well the first year of its introduction but was unable to serve the purpose it was designed for in 2014/15 as it resulted in very little budget available to meet Additional Needs. Consequently the

funding for 2014/15 was largely based on the allocations given to schools for 2013/14.

- 3.10 In 2014/15 the budget was managed with no overspend. This was planned for by:
- reserving auxiliary hours (£70,000) for emerging need from the total allocation, and
  - changing the timings of staffing allocations being made to school so that the allocation was made once a staff member had been appointed.
- 3.11 In order to have a process which allocated resources fairly, a strategic group, comprising Principal Teachers (ASN), Inclusion Manager and Principal Education Psychologist further developed the request and allocation process. This consisted of increasing the threshold and clarifying criteria for ESF which would leave a proportion of the budget to provide Additional Support Funding (ASF). The number of pupils with ESF in 2014/15 was over 450. The new criteria has meant for 2015/16 that around 200 pupils meet the criteria for ESF.
- 3.12 The revised process has a clearer set of criteria for Exceptional Need and Additional Need. The request forms are simplified with less paperwork being submitted with the request. Training was carried out to ensure clear understanding of the criteria for ESF which was attended by representatives from all schools.
- 3.13 As before, requests were moderated at Associated School Group (ASG) level, which included the ASG Educational Psychologist. Guidelines on how to carry this out effectively were issued. Those requests deemed to meet the criteria for ESF were then moderated at Moray level by a panel consisting of 8 Principal Teachers (ASN), 2 Educational Psychologists and the Education Support Officer (ASN). A central scrutiny was carried out by the Education Support Officer (ASN) and the Moray Educational Psychologists to ensure allocations were appropriate.
- 3.14 Additional Support requests were made using the staged intervention model with schools completing a spreadsheet which recorded identified need and stage of intervention. A formula was used giving stage 4 pupils 10 points, stage 3 pupils 5 points and stage 2 pupils 2 points. Stage 1 pupils do not have Additional Support Needs. This gave a total for each school and a Moray total. The remainder of the budget, after ESF was removed, was allocated pro rata according to each school's need in comparison with the Moray total.

The process developed to assess ASF did not work as anticipated with the result that there were some serious anomalies across Moray schools with regard to the ASF part of the funding allocation. The process has been revisited and a formula – using Pips (Performance Indicators in Primary Schools) / MidYis (Middle Years Information System) baseline assessments, Scottish Index of Multiple Deprivation (SIMD) data and school roll, is being developed to identify need to reallocate for 2015/16. This process will be further developed for 2016/17.

- 3.15 A new process has been developed to capture the need of Nursery and P1 pupils to allow for more accurate allocations being made at an earlier stage, with the consequence of reducing the emergent need requests throughout the session. This supports our desire for early intervention.
- 3.16 It should be noted that the allocated hours for Nursery pupils over the past 3 years have more than doubled indicating that there has been both increased need identified and earlier intervention:

<b>Year</b>	<b>Schools</b>	<b>External Partners</b>	<b>Totals</b>
2012/13	£73,159	£37,795	£110,954
2013/14	£113,252	£65,122	£178,374
2014/15	£170,477	£91,448	£261,925

This funding may need to follow these children through their school career, having already more than doubled over the three years it is concerning that this trend may continue and put the service under even more pressure than it currently faces. This will have a significant impact upon schools and the support they will require or be able to provide.

- 3.17 It is recognised that effective and efficient use must be made of the ASN budget. A training programme is being drawn up for classroom auxiliary staff to be delivered centrally. The first event is whole day training in May 2015 with inputs from a range of specialist services. Planning is well underway to develop a clear pathway for continuous professional development for classroom auxiliary staff.
- 3.18 There will be a conference, organised and run by Education Scotland, for a limited number of classroom auxiliary staff in the four north regions. This will be held in Elgin in September 2015.
- 3.19 A revised, updated job description for classroom auxiliary staff is in the process of being prepared to reflect the current demands of the post.
- 3.20 Recruitment of committed, capable teaching staff into Support for Learning/Additional Support Needs is a high priority. A training pathway for these teachers, culminating in accreditation by General Teaching Council (Scotland) (GTC(S)) and Aberdeen University, is being developed.
- 3.21 Out of Area Placements are reported regularly to this Committee, there are currently 12 children and young people placed out of Moray on educational placements requested by parents. This figure has risen significantly since the lowest number reported of 6 between June 2011 and June 2012. These placements on average cost the authority £63,944 per annum per child in 2014/15.

<b>Year</b>	<b>No of Pupils</b>	<b>Average cost per pupil</b>
2012/13	12	£54,985
2013/14	13	£70,914

2014/15      13      £63,944

- 3.22 The English as an Additional Language (EAL) service continues to face increased pressure and demand for the service across Moray. Recent figures indicate there are currently 650 pupils in Moray with English as their second language compared with 580 in 2013/14 and 372 in 2008/09, with 49 different first languages. In order to support this increasing demand the teacher allocation will be increased by 0.2fte from session 2015/16.

Similar to the nursery figures in para 3.16 the need for EAL has nearly doubled over five years.

- 3.23 A new Principal Teacher (EAL) will take up post in August 2015. He is committed to building capacity in schools to enable them to better support pupils with English as their second language.
- 3.24 As a result of the review of ASN carried out by the Continuous Improvement Team in 2014, an Action Plan was drawn up to address the recommendations contained within the report. Most of the actions have been completed. Head Teachers have been reminded of their responsibilities in addressing relevant parts of this report.
- 3.25 The Education Support Officer has strengthened central support for schools by giving advice about individual pupils and more general advice about supporting pupils with ASN in schools. She has been integral to the development of the training programmes described earlier.
- 3.26 The contract with Scottish Autism for the specialist autism education provision based at Elgin Academy ended April 2015. This provision has been brought in house and will continue to be based in Elgin Academy whilst remaining a Moray provision. To date, there have been five young people who have been able to continue their education in Moray at this provision rather than having to go out of area. Based on the 2014/15 average figures for an out of area placement, as highlighted in para 3.24 above, the potential saving to date of providing education in Moray is approximately £175,000.
- 3.27 Progress is being made in developing working practices which comply with Moray Council requirements. Elgin Academy is working towards becoming Autism Accredited.
- 3.28 Moray Social Emotional Behaviour Needs (SEBN) provision is currently under review with a view to creating a service working with children and young people aged 5 – 18, in order to support them in school and enabling them to remain in their own school. A Change Management Plan for the proposed management structure of the new service has been drawn up and is being consulted upon. A further Change Management Plan will be written for the second phase of proposed changes which will focus on how the provision will be delivered. These plans have been informed by an option appraisal into the provision for pupils with SEBN carried out by an Educational Psychologist in Moray.

#### **4      SUMMARY OF IMPLICATIONS**

**(a)      Moray 2023: A Plan for the Future/Service Plan**

This report is in line with Moray 2023 Plan – Ambitious and confident children and young people, and Council priority 4 – More of our children have a better start in life and are ready to succeed.

**(b)      Policy and Legal**

The report outlines how the Council is delivering services in respect of the Additional Support for Learning (ASfL) legislation and the aims of Education and Social Care Integrated Children's Services as stated in the Service Plan 2014/15.

**(c)      Financial implications**

This report highlights the continuing financial pressure upon the current ASN budget, the implications of this are explored throughout the report.

Within the overall budget for Integrated Children's Services, the amount available to support the direct allocations to schools for teacher and auxiliary support is £7.507m.

**(d)      Risk Implications**

If the Council does not fulfil its statutory duty in relation to providing additional support in Moray to those children and young people who require it there is a risk of parents requesting out of area placements. Unless the Council is in a position to fully evidence an ability to meet the child or young person's needs in Moray it would be difficult to refuse the application or to defend the refusal at ASN Tribunal.

**(e)      Staffing Implications**

There are a number of other proposals within this report that have no direct impact upon staffing at this point in time, however should the proposals be fully worked up there will be implications for staff in the future.

**(f)      Property**

There are no direct property implications associated with this report.

**(g)      Equalities**

In relation to the workforce, no equality issues have been identified. The proposals within this report are aimed at improving the current additional support needs service. This is expected to promote equality of opportunity for children with additional support needs.

**(h)      Consultations**

Senior Corporate Management Team, Senior Officers within Education and Social Care, Katrina McGillivray, Senior Human Resources Adviser, Deborah Brands, Principal Accountant, Margaret Forrest, Legal Services Manager (Litigation & Licensing) and Don Toonen, Equal Opportunities Officer have been consulted in the preparation of this report and are in agreement with the content relating to their areas of responsibility.

**5. CONCLUSION**

- 5.1 This report outlines the current trends nationally in relation to additional support needs; it also considers how the service responded to the pressures facing Integrated Children's Services throughout 2014/15 and outlines action being taken throughout 2015/16 to continue to address these pressures.**

Author of Report: Pat McLennan, Inclusion Manager  
Background Papers:  
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