

A Guide for Parents

The Education (Additional Support for Learning)
(Scotland) Act 2004 and 2009



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The Education (Additional Support for Learning) (Scotland) Act 2004 became law on the 14th November 2005. In 2009, the Act was amended. These amendments from the Education (Additional Support for Learning) (Scotland) Act 2009 and came into force on 14th November 2010.

“The Act aims to ensure that all children and young people are provided with the necessary support to help them work towards achieving their full potential.”
(Supporting Children’s Learning – Code of Practice 2005)

What are Additional Support Needs?

The majority of children and young people are able to access the curriculum without the need of additional help other than that which would ordinarily be available in the classroom.

A child or young person requiring planned extra support to allow them to better engage in their learning has ‘additional support needs’.

Additional support needs can be long or short term and may arise through any of the following;

- Learning Environment
- Family Circumstance
- Disability and Health
- Social and Emotional Factors

Additional support may take a number of forms and come from health, social work or some voluntary organisations as well as from education.

A need for additional support does not imply that a child or young person lacks abilities or skills. Under the 2004 Act “additional support” means support that is provided in the classroom or school. The 2009 Act changes this to include support that is provided out-of-school but that helps a child get the most out of their school education. Children who are looked after by a local authority will automatically be assumed to have additional support needs.

In What Way Does The Act Make A Difference?

The Act introduces duties on Education Authorities and other agencies that will benefit children, young people, parents and carers.

Education Authorities must:

- make adequate and efficient provision for each child or young person with additional support needs for whose education they are responsible.
- assess and provide appropriate support, if agreed with parents, for disabled children under 3 (or under 5, if not in a public or partnership nursery) where the child has been referred by Health Authority and has additional support needs.
- make arrangements to identify additional support needs.
- publish information about provision for identifying and addressing additional support needs.
- provide those children or young people who need it a Co-ordinated Support Plan (CSP) and keep under review.
- provide independent and free mediation services for all parents of children with additional support needs and publish information on these services.
- request and take account of information and advice from agencies likely to support the child on leaving school at least 12 months in advance to the expected leaving date.
- provide information to the responsible agency/ agencies supporting the young person on leaving school, including Further Education Colleges, with the young person's agreement.

What Are Your Rights as a Parent / Carer?

All agencies and services are committed to working with you in partnership to support the child or young person.

Parents/Carers will have the right to:

- request the Education Authority to find out whether their child has additional support needs.
- request the Education Authority to find out if their child requires a Co-ordinated Support Plan or to review an existing plan.
- request a specific type of assessment and /or examination.
- request the use of mediation services
- make a placing request to an independent special school if their child has additional support needs.
- be informed of the outcome of these requests and any applicable rights of appeal.
- receive a copy of the Co-ordinated Support Plan or, if not eligible for a plan, receive advice and information about their child's additional support needs.
- have their views taken into account and noted in the Co-ordinated Support Plan
- appeal to new independent Tribunals on matters relating to Co-ordinated Support Plans
- make use of dispute resolution arrangements for matters about additional support needs that are not eligible for formal appeal
- have a supporter or representative with them at any meeting with the School or Education Authority and at Tribunal Hearings.
- make a placing request to any school in Scotland including schools outside the local authority in which they live

Planning for Learning

The majority of children and young people with additional support needs will be supported by an Individual Education Plan (IEP).

What is an IEP?

An Individual Education Plan (IEP) is a planning document which plays an important role in specifying a child's or young person's learning needs and the recommended strategies and approaches required to meet them.

An IEP allows all those involved to:

- create a profile of the child's or young person's strengths and areas of development.
- plan progression, expressed in short and long term targets.
monitor provision of support.
- help the child or young person to become better involved in their learning.
- work together and share responsibility.
- review, evaluate and update as necessary.

What is a CSP?

A Co-ordinated Support Plan (CSP) is a statutory, strategic planning document to co-ordinate the provision of services, to ensure that there is appropriate support in place for children and young people with enduring complex and /or multiple additional support needs.

The plan must specify biographical details of the child contact details of the child, parent/ carer, name of the school, the co-ordinator the contact person within the Education Authority and the supporting agency/service as well as the pupil profile, the Education Authorities conclusion as to the factor/s from which the additional support needs of the child or young person arise and the educational factors sought to be achieved taking account of those factors along with a stated review date.

Some of the changes made in the 2009 Act deal specifically with children who have, or may require, a CSP and in particular to disagreements between education authorities and parents about a CSP.

Information on Supporters & Advocacy, Mediation, Dispute Resolution and Additional Support Needs Tribunals can be found in "Resolving Disagreements" leaflet.

Accessing Support and Further Information

As a parent/carer you have a unique insight and personal knowledge about your child. It is essential that your views are listened to and taken account of in discussion of your child's needs.

The ASL Act enables you to ask for a supporter to be with you to help express your views at meetings.

A supporter can be:

A friend

A relative

A worker from a voluntary organisation

A professional already working with your child

The first point of contact to discuss the needs of the child or young person should be the school.



For further information from the education authority contact;

Additional Support Needs (ASN) Manager
Education Learning and Leisure Service
Woodhill House
Westburn Road
Aberdeen
AB16 5GB
Tel no 01224 664886
Fax no 01224 664615
ELL.Enquiries@aberdeenshire.gov.uk

Free Independent advice is available from
ENQUIRE Helpline on:

Enquire, Princess House
5 Shandwick Place
Edinburgh EH2 4RG
Helpline: 0845 123 23 03
email: info@enquire.org.uk
www.enquire.org.uk

ASL Mediation is available by contacting:

Children 1st
15 Frithside Street
Fraserburgh
Aberdeenshire
AB43 9AR
Tel no 01346 512733
Fax no 01346 512810
Email fraserburgh@children1st.org.uk

