

“Fit the system to the child, not the child to the system” – the Additional Support for Learning (Scotland) Act

In our newsletters this year we have talked about the new legislation that comes into force on 14 November. When legislation is drawn up guidance or a code of practice is produced to assist local authorities, agencies, professionals and the public to understand the implications of the changes and what steps need to be taken to meet the requirements of the Act.

Robert Brown, Deputy Minister for Education & Young People, launched the ASL Code of Practice on 25 August at Murrayfield in Edinburgh. He acknowledged the far-reaching implications for practitioners, agencies and families of the Act and his key message was the need for the child and young person to be at the centre with services fitting their needs, rather than the ‘one size fits all’ approach which is all too frequently the experience of children, young people and their families.

The Code of Practice entitled *Supporting Children’s Learning* provides guidance to all professionals and is being distributed to each authority and key agencies including the voluntary sector. It can also be downloaded from the Learning and Teaching Scotland website at www.ltscotland.org.uk

Multi-agency training resource has also been developed to provide a range of workshop-based activities aimed at managers and practitioners whose daily tasks will be to deliver improvements in assessment, teaching, therapy provision and other supportive measures under the Act.

Information for parents Enquire, the Scottish Advice Service for Additional Support for Learning, is developing a guide for parents. They are holding a number of events throughout Scotland called ‘Involving Parents’ to get views on this guide. For further information about events in your area contact Children in Scotland - **0131 228 8488**.

What does the Act mean for children, young people and parents?

The Act is concerned with broadening out the support that is available to children and young people. It recognises that at any time, any child or young person’s learning can be affected by a life event. This includes disability and chronic ill health, which generally have long -term implications but also includes –

- The environment in which you child or young person is being taught
- Family circumstances such as family breakdown or becoming homeless
- Social or emotional problems such as bereavement or being bullied

If a child or young person is identified as having additional support needs the Act puts duties on agencies to support the education authority in meeting these needs and to work in a more co-ordinated way than has been the experience of many families to date.

The Act has given new rights to parents, these include –

- Asking the authority to find out whether your child or young person has additional support needs
- Accessing free mediation services in your local area or dispute resolution services if you disagree with the authority’s decision to refuse your request

- Request a specific type of assessment and /or examination for your child or young person when the education authority is proposing to formally identify whether or not they have additional support needs
- Have a supporter or advocate to help you at meetings you have in relation to your child's or young person's, this includes mediation and dispute resolution
- Receive information or advice about your child or young person's additional support needs

Your child's rights –

- If your child is aged 16 or over, they have the same rights as you as listed above

Record of Needs

All education authorities are putting arrangements in place to review provision and maintain appropriate safeguards for children and young people who *currently* have a Record of Needs.

The Scottish Executive has made clear through a circular that once the Act commences on 14 November, education authorities must, within two years, establish whether children and young people with a Records of Needs will need a co-ordinated support plan. Until this time, the Act states the authority must ensure that the provision currently being made for the child or young person is no less than the provision, which was made immediately before the Act.

When the Record is next reviewed (after 14 November) the Educational Psychologist will discuss the issue of a Co-ordinated Support Plan and whether the child or young person meets the criteria for a plan.

In future newsletters we will discuss in more detail the Co-ordinated Support Plan and what it will mean if your child or young person is assessed as needing a plan or not.

Claire Edwards
Training Manager
SNIP
September 2005