

EUROPEAN AGENCY STATISTICS ON INCLUSIVE EDUCATION

**UK (Scotland) 2016/2017
data background information**



BACKGROUND INFORMATION

How the official decision of special educational needs (SEN) in the country relates to the agreed EASIE operational definition

Operational definition

“An official decision leads to a child/learner being recognised as eligible for additional educational support to meet their learning needs.”

Criteria for an official decision of SEN

- There has been an educational assessment procedure involving a multi-disciplinary team
- The multi-disciplinary team includes members from within and external to the child’s/learner’s (pre)school
- There is a legal document which describes the support the child/learner is eligible to receive and which is used as the basis for planning
- The official decision is subject to a formal, regular review process

Educational assessment procedure in the country

Different local authorities and schools use different sorts of learning and support plans to make sure they meet a child’s/learner’s needs. Most local authorities use staged intervention and will open and use different plans depending on what stage a child or young person is at. The most commonly used plans are:

- Personal Learning Plans (PLPs)
- Individual Educational Programmes (IEPs)
- Co-ordinated Support Plans (CSPs)
- Child’s Plan (CPs).

Most children/learners with additional support needs will not require a CSP, as their needs can be met through other forms of planning. PLPs are used for all children/learners as a way of planning what and how they learn and assessing their progress. It is an on-going process of setting goals that reflect a child’s/learner’s strengths and development needs and monitoring their progress. The child/learner should be involved in this process. Monitoring a child’s/learner’s progress will enable everyone to know whether additional support is working.

If a child/learner needs a more detailed plan than a PLP, the school may create an IEP. This could be if the child/learner needs changes to the curriculum, help from an outside agency, special equipment in class or support from a number of staff in the school. Some local authorities have different names for IEPs, such as Additional Support Plans or Action Plans.



An IEP usually describes a child's/learner's additional support needs and the type of support they require. It sets short-term goals for the child/learner and explains what methods will be used to reach them. Schools and local authorities are not legally required to prepare an IEP for a child/learner, and IEPs are not legal documents. A child and their parents/carers should be involved in drawing up their IEP and should receive a copy. It is good practice for schools to prepare an IEP for children/learners who need a lot of support. A child's/learner's IEP should be reviewed regularly, usually every school term.

A local authority may consider opening a CSP if:

- a child/learner needs extra support because there are complex or multiple factors that negatively and significantly affect their school education;
- they have support needs that are likely to last for more than a year;
- they need significant additional support from the local authority's education department, and from at least one other agency (such as social work or health).

A CSP aims to make sure that the additional support a child/learner receives is properly co-ordinated. The difference between a CSP and other plans is that it is a legal document. Disputes about CSPs are dealt with by the Additional Support Needs Tribunal.

A CSP should describe a child's/learner's strengths, additional support needs and educational objectives. It also describes the support they need to meet these objectives and the organisation or professionals who will provide it.

If a child/learner has a CSP, the school should still carry out a PLP. If appropriate, the school should also set up a learning plan such as an IEP to set smaller, short-term learning targets. For example, information from the CSP should be used to draw up the IEP, and progress with the IEP can be used to measure the success of the support outlined in the CSP.

A child may also have a Child's Plan (CP) if they need extra support to meet their wellbeing needs. A CP sets out the needs that have been identified and any action taken or to be taken to meet those needs. All professionals working with a child use the plan. A CP may include information from the child's IEP if they have one. If a child has a CSP, this information should feature in the CP, but the CSP will still be a stand-alone legal document.

How the multi-disciplinary team is comprised in the country

There can be a wide range of people who are part of a multi-disciplinary team. The range of partners involved across authorities can include:

- children, parents and guardians;
- teachers, specialist teachers, head teachers and early years heads;
- educational psychologists, education officers and education leads for ASN;
- social workers, health visitors, general practitioners, school nurses, medical staff, community police and third sector organisations.



The legal document used in the country to outline the support that the child/learner is eligible to receive

In Scotland, all children have the right to education which is directed at developing their personality, talents and mental and physical abilities to their fullest potential. This principle was adopted by the Standards in Scotland's Schools etc. Act, and reinforced by the Additional Support for Learning Act 2004 and Curriculum for Excellence, which reflect the way different children/learners progress.

The Education (Additional Support for Learning) (Scotland) Act 2004, amended in 2009 and 2016, provides the legal framework for identifying and addressing the additional support needs of children and young people who face a barrier, or barriers, to learning. The Act aims to ensure that all children and young people receive the necessary support to help them work towards achieving their full potential. It sets out the duties of education authorities to identify, provide for and review their learners' additional support needs. Education authorities will plan for children's learning using a range of planning mechanisms, including (non-statutory) IEPs, and, where there is significant support from education and another agency to meet complex or multiple needs, a CSP under the 2004 Act.

The Education Scotland Act 2016, which the Scottish Parliament passed in March 2016, amended the Additional Support for Learning Act. The amendments included extending the rights of children to provide that eligible children aged 12–15 years have largely the same rights as young people and parents under the Additional Support for Learning legislation, except in relation to placing requests and the use of mediation services. This extension to children's rights is accompanied by safeguards in the form of assessments of capacity and consideration of impact on wellbeing.

How the document is used as the basis for planning in the country

The Supporting Children's Learning Code of Practice, to accompany the Education (Additional Support for Learning) (Scotland) Act 2004, supports the effective implementation of the above legislation.

In addition to this, non-statutory guidance was consulted on and published in 2017, to provide education authorities and schools with guidance on the assessment of capacity and consideration of impact on wellbeing, which is a requirement introduced as part of the extension of children's rights. This guidance (*Extending Children's Rights – Guidance on the assessment of capacity and consideration of wellbeing*) complements the provisions of the statutory Code.

The formal, regular review process in the country

Children's and young people's needs are met through planning for their learning and support, usually through an IEP (this may have another name, such as Additional Support Plan) which sets out targets for learning and the support to be provided. For children and young people who have complex or multiple needs which require significant support from education and another agency or agencies, a CSP may be required. The CSP serves to support co-ordinated planning to meet children's/learners' needs. It lasts for up to a year.



Proxy indicator for the 80% benchmark used for the country's data collection

The EASIE work uses an 80% benchmark of inclusive education. This is defined as:

“An inclusive setting refers to education where the child/learner with SEN follows education in mainstream classes alongside their mainstream peers for most – 80% or more – of the school week.”

Proxy indicator used

Actual data is available to verify the 80% benchmark.

Details on what the country proxy is

Not applicable.

Why this proxy was used

Not applicable.

Difficulties in using the proxy

Not applicable.

Specific country issues in applying the proxy indicator

Not applicable.

Detailed description of what ‘out of formal education’ means within the country

The 2011 International Standard Classification of Education (ISCED) defines ‘formal education’ as follows:

“[...] education that is institutionalised, intentional and planned through public organizations and recognised private bodies and, – in their totality – constitute the formal education system of a country. Formal education programmes are thus recognised as such by the relevant national education or equivalent authorities, e.g. any other institution in cooperation with the national or sub-national educational authorities. Formal education consists mostly of initial education [...] Vocational education, special needs education and some parts of adult education are often recognised as being part of the formal education system. Qualifications from formal education are by definition recognised and, therefore, are within the scope of ISCED. Institutionalised education occurs when an organization provides structured educational arrangements, such as student-teacher relationships and/or interactions, that are specially designed for education and learning.”

(United Nations Educational, Scientific and Cultural Organization and UNESCO Institute for Statistics, 2011, *International Standard Classification of Education ISCED 2011*, p. 11).



Do the country definitions of formal, non-formal and informal education differ from the ISCED definitions?

No, Scotland uses the same definitions as ISCED.

How specific cases – such as home-educated children/learners – are considered

Where a child is being educated at home, it is the parents' responsibility to make arrangements for appropriate education and support for their child. Statutory responsibility for the delivery of education in Scotland sits with local authorities. Local authorities have considerable flexibility to support learning for home-educated young people. Education authorities are not responsible for the education of children or young people who are home-educated. Nevertheless, parents of home-educated children have the right to ask their local authority to find out whether or not their child has additional support needs, and to assess what level of support they might need. A young person also has similar rights. The local authority can choose to agree with the request and provide the necessary support, but it is under no legal duty to do so.

Children/learners who are considered out of formal education (meaning those not in formal education as defined by ISCED)

'Out of formal education' includes children/learners who are educated at home, generally through parental choice; however, some may be educated at home due to ill health. It may also include children/learners educated in hospital.

However, most of these children/learners will remain on the roll (i.e. be recorded) of their normal school, so will be counted in the formal education figures anyway. Likewise, secure units are also included in the formal education data.

Information on 'out of formal education' is not collected. It was in the past, but it was unreliable, as parents who choose to home-educate their children are not obliged to tell anyone unless the learner has already attended school.

Very few children and young people are out of formal education. Some children are home-educated. In other instances where they are not in mainstream schools, children and young people are educated in line with national guidance. For example, all specialist provision is managed by a head teacher and secure provision includes good quality schooling.

How the population of children/learners who are out of formal education is defined

Every child has a right to an education. It is the duty of the parent of every school-age child to provide that education, either by sending the child to school or by other means. A child is defined as being of school age (i.e. education must be provided) if they have attained the age of 5 years but have not yet attained the age of 16 years.

Children/learners out of formal education may be out of any form of provision, but they may also be in non-formal education and/or a mixture of formal and non-formal education.



Provision of data on private sector education

The data collection covers all sectors of education, including numbers for the child/learner population in the private sector.

Private sector education in the country

It refers to education in schools that are not publicly funded.

Child/learner population counted for each relevant question

No information on privately-educated children/learners has been included.

Specific issues with providing data on private sector education and how these have been overcome in the data collection

Not applicable.

ISCED level age ranges

The following are the most common (pre)school entrance ages and (pre)school leaving ages for the different ISCED levels:

- Age range in the country at ISCED level 02 (pre-primary): 3 to 4
- Age range in the country at ISCED level 1: 5 to 12
- Age range in the country at ISCED level 2: 13 to 15
- Age range in the country at ISCED level 3: 16 to 18