

# Additional support for learning: A guide for parents or carers of looked after children

This guide explains:

- a looked after child's right to additional support for learning
- how additional support for learning is planned
- what you can do if your child is excluded or unable to attend school
- where to find more advice and information.

## Legislation and guidance

In Scotland a child or young person is said to have 'additional support needs' if they need more – or different – support to what is normally provided in schools or pre-schools to children of the same age.

The framework for supporting children who need additional support with their learning is set out in the **Additional Support for Learning (Scotland) Act 2004 as amended** (the ASL Act) and accompanying **Supporting Children's Learning Code of Practice 2017**.

The ASL Act states that the education of a child with additional support needs should be directed to "the development of the personality, talents and mental and physical abilities of the child or young person to their fullest potential".

'Additional support needs' does not just refer to children who have long-term learning difficulties or physical disabilities. Children may need additional support if they have experienced loss; are being bullied; have emotional, social or behaviour difficulties; have communication difficulties; or have been abused or neglected.

All looked after children are presumed to have additional support needs unless they are assessed otherwise. A looked after child who is assessed as not requiring extra support may at a later date need extra support to cope with disruptions or upset caused by leaving a foster family, moving home or changing school.

## Looked after children and their education and support

Staff from education, social work and other agencies should work closely together to ensure a looked after child gets the support they need to achieve their fullest potential in all areas of their life<sup>1</sup>.

<sup>1</sup>Getting it right for every child (GIRFEC)

All schools should have a dedicated member of staff responsible for looked after children who attend the school. This may be the head teacher or deputy or another senior member of the school staff. They have a responsibility to co-ordinate information about looked after children and their needs, and make sure this information is shared with the right people in the school. They also have a responsibility to ensure the additional support needs of looked after children are identified and that plans are in place to meet these needs.

The ASL Act places a duty on local authorities to identify and provide for any additional support needs a child may have. This means local authorities must arrange to identify any barriers to learning for a child. The local authority must then provide “adequate and efficient” support to meet the child’s needs and keep this under review. Support should help a child to work towards achieving the best they can in all areas of their education. A child may need support for a short time or, if their needs are more complicated, they might need help for longer.

Because every child is different, the law does not say how the support should be given or how much of it there should be. So, to decide what support a particular child will need, the local authority should arrange for a child’s needs to be assessed. Support should then be provided for that child, based on the advice of the professionals doing the assessments.

Under the ASL Act local authorities must take into account the views of the child and their parents, and any information a parent may bring to their attention.

The definition of ‘parent’ goes further than birth parent or anyone with parental responsibilities and parental rights. It includes anyone who cares for the child, which means anyone they live with. So if a child lives with a foster carer or prospective adopter, that person has the power to ask for the ASL Act to be applied.

## Who is responsible for a child’s education?

If a child is looked after, their home local authority has responsibility for their education. The home authority remains responsible if a child is placed in another local authority and attends school there. It is also responsible if the child is placed in a school in another authority that is able to meet their needs.

## Planning children’s learning

Depending on a child’s needs, different levels of planning may be required to meet their needs.

### Personal learning planning (PLP)

Personal learning planning (PLP) is a way of thinking about, talking about and planning what and how a child learns. It is also a way of assessing their progress and acting on the results of that assessment. All children should be involved in PLP. For many children, PLP will be all that is needed to arrange their learning, and to monitor their development and progress.

## Individualised educational programme (IEP)

If a child's support needs can be met by the school or local authority's education department but requires more detailed planning than PLP offers, a child may have an individualised educational programme (IEP). In some local authorities this is called an additional support plan or similar. An IEP sets out a child's learning needs and the support that will be put in place to meet them. It should contain specific, short-term learning targets. To support the child's development, it may also include longer-term targets or aims.

## Co-ordinated support plan (CSP)

Under the ASL Act **all looked after children** should be considered for a CSP.

Children with complex needs – who may require support from agencies other than education (e.g. social work or health) – may require a co-ordinated support plan (CSP). This shows in detail how a child's support will be provided. It is a legal document and aims to ensure that all the professionals who are supporting a child work together. It also helps ensure that everyone, including the child and parents or carers, are involved in that support.

The home authority of a looked after child is responsible for considering whether a child needs a CSP and for implementing and reviewing the plan.

## Child's Plan

A child may have a Child's Plan if they need additional support to ensure their overall safety or wellbeing. The plan should contain all the information about their needs (including any educational needs), the services they require, the views of parents or carers and the outcomes the plan aims to achieve. In some local authority areas, Child's Plans are replacing individualised education programmes. However, a Child's Plan should never replace a co-ordinated support plan if a child is eligible for one. A co-ordinated support plan can, however, form part of a Child's Plan.

## Staged intervention

Every child may need support at some point in their lives. Often, this can be managed through normal classroom and teaching practice. When additional support is needed, it is usually managed through a staged intervention process. At the lower level of staged intervention, support can usually be managed in the school or education department and children may have a PLP or IEP. At the upper level, support may be needed from outside of education (for example, from health or social work) and children may need a CSP. Each local authority will have its own approach to providing support. Information on local support, planning and provision should be available on your local authority's website.

## What support might be available?

The law does not state the type or level of support that should be provided. Support should be tailored to meet your child's individual needs and may include:

- time with learning support staff
- assistance from a counsellor or therapist
- nurture group support
- equipment, such as a laptop
- strategies, such as time out
- more time to complete school work and exams
- 'buddy' support from an older pupil
- meetings to discuss learning plans and transition between schools
- support to access further education or vocational training.

## Some common questions

### What if I think my child's needs are not being met?

In the first place speak to your child's class teacher. They may already be aware of your child's needs and be supporting him or her. Ask for a meeting to discuss your concerns and take along their learning plan if they have one. If they don't have one, you could ask the school to open one. If you still feel your child's needs are not being met, you should arrange to speak to the head teacher.

If you have spoken to the school and are still unhappy, you may wish to talk to your local authority. To find the best person to speak to in your local authority, visit Enquire's website [www.enquire.org.uk/local-authorities](http://www.enquire.org.uk/local-authorities)

There are other ways of resolving disputes about additional support, including mediation and independent adjudication. For more information, see **Enquire factsheet: Resolving disagreements and Steps to resolving disagreements**, or by contacting Enquire.

Your child may also be able to use some of the ways of resolving disputes. Your child may also have the right to ask for their needs to be assessed. For more information, see **Enquire factsheet: Children's rights to education and additional support in school**.

### How do I ask for my child's needs to be assessed?

If your child has not been assessed or has developed additional support needs since their last assessment, discuss your concerns with their pre-school or school. They may already be aware of your child's needs and be giving suitable support. If not, you should discuss with them the options available for assessing your child. You can also discuss your concerns with the child's social worker.

You have the right to ask your local authority to carry out a specific assessment or examination at any time, but you cannot insist on a particular kind of assessment (for example, the type of assessment test used) or ask for a particular person to do it. Your child may also have the right to ask for their needs to be assessed. Your child may also have the right to ask for their needs to be assessed. For more information, see **Enquire factsheet: Children's rights to education and additional support in school**.

You can also refer your child yourself or ask your GP or health visitor to refer your child to some agencies, such as occupational therapy, speech and language therapy, physiotherapy or mental health services for an assessment.

You should keep your child's school and social worker informed of any changes in your child's life that may affect their learning and any referrals you make. For more information, see **Enquire factsheet: Assessment**.

### **I'm worried my child is at risk of being excluded**

Excluding a child from school is a serious step and should only be used as a last resort. If you are worried your child is at risk of exclusion, the first step is to speak to the school. If a child with additional support needs is at risk of being excluded, the school must take all reasonable steps to make sure appropriate support is put in place. Schools should focus on preventing exclusions by identifying a child's additional support needs as early as possible and planning and providing support to meet those needs.

Exclusion from school should not be used as a way to cope with a child's additional support needs. A school can only exclude a pupil for the following reasons:

- The school thinks order and discipline in the school and the education of the other pupils will be badly affected if your child continues to attend.
- The school thinks you, the parents, have not followed the school's rules and have allowed your child to break the school rules.

Schools must always state one of these as the reason for the exclusion.

Exclusion must be for as short a period as possible with the aim of improving outcomes for the child or young person. The time during and after the exclusion period should be used constructively to resolve the situation and ensure positive and appropriate support is in place.

All exclusions must be recorded as a formal exclusion. Children must not be sent home on an informal exclusion or sent home to 'cool off'. In some cases, it may be suggested that a pupil would benefit from attending school part-time. This should only happen with the agreement of the parent or carer and should only be for a limited period of time. Schools must record and monitor this practice.

In every case, before a looked after child is excluded, the manager in the school who is responsible for looked after children should involve the child's Named Person (if they have one) and Lead Professional as well as the parent or carer to consider how the exclusion will affect the pupil's wellbeing. The views of other agencies involved with the pupil (such as health or social work) should also be considered.

You can read the process that a school should follow when excluding a child in **Enquire factsheet: Exclusion from school**. It also explains what rights a parent, carer, child or young person has to appeal against the exclusion.

## What happens if my child is unable to attend school?

By law, every child of school age has the right to school education. Children who are unable to attend school, or whose education is interrupted, still have the right to education while off school. If your child is unable to attend school, you should arrange to talk to their school about how they can be supported to access their education while they are off.

Local authorities have a duty to provide education that is “adequate and efficient”. These duties apply to children who are off school for one long period of time or those who often miss school for shorter periods. These duties apply to children who miss school due to accident, trauma, mental health, chronic, long-term or life-limiting illness or health conditions that mean they are in hospital repeatedly.

For more information, see **Enquire factsheet: When a child can't go to school.**

## Where to get more information

### Enquire

For more information, see **The parents' guide to additional support for learning (2018)**

**Enquire factsheet: Children's rights to education and additional support in school (2018)**

**Enquire factsheet: Resolving disagreements (2018)**

**Enquire information sheet: Steps to resolving disagreements (2018)**

**Enquire factsheet: Assessment (2018)**

**Enquire factsheet: Exclusion from school (2018)**

**Enquire factsheet: When a child can't go to school (2018)**

### Reach

You can find information and advice for young people who are looked after at: [www.reach.scot/get-help/im-care-experienced/](http://www.reach.scot/get-help/im-care-experienced/)

### Scottish Government

**Supporting Children's Learning Code of Practice (third edition) 2017, Scottish Government**, has more information about how a child's needs should be supported. [www.gov.scot/Publications/2017/12/9598](http://www.gov.scot/Publications/2017/12/9598)

**Guide to Getting It Right for Every Child** from the Scottish Government [www.gov.scot/Topics/People/Young-People/gettingitright](http://www.gov.scot/Topics/People/Young-People/gettingitright)

# ENQUIRE

Helping you understand additional support for learning

Enquire is the Scottish advice service for additional support for learning. We provide independent and impartial advice to parents and carers, to practitioners in education, social work and health services, and to children and young people themselves.

[www.reach.scot](http://www.reach.scot) offers advice to young people struggling at school. With practical tips on what can help and young people sharing their views and experiences on all sorts of life issues, Reach offers the 'go-to' source of advice to help pupils make the most out of their education.

This factsheet has been awarded the Clear English Standard.



## Contact details

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9 Haymarket Terrace, Edinburgh EH12 5EZ

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(Access to interpreters through Language Line)

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Email: [info@enquire.org.uk](mailto:info@enquire.org.uk)

[www.enquire.org.uk](http://www.enquire.org.uk)

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