



**REPORT TO: SPECIAL EDUCATION, CHILDREN'S AND LEISURE SERVICES
COMMITTEE ON 14 DECEMBER 2022**

SUBJECT: REVIEW OF ADDITIONAL SUPPORT NEEDS SERVICES

**BY: DEPUTE CHIEF EXECUTIVE (EDUCATION, COMMUNITIES AND
ORGANISATIONAL DEVELOPMENT)**

1. REASON FOR REPORT

- 1.1 To inform Committee of progress with plans to review the services that specialise in how children and young people with additional support needs (ASN) are fully supported, included and involved in their learning, as part of the Council's Improvement and Modernisation Programme.
- 1.2 This report is submitted to Committee in terms of Section III (D) (1) of the Council's Scheme of Administration relating to all the functions of the Council as an Education Authority.

2. RECOMMENDATION

2.1 It is recommended that the Committee:

- (i) Consider and note the background and context of the ASN Review, and the links between this strategic change project, and other Education Transformation strategies.**
- (ii) Consider and note progress towards implementation of the review of ASN Services;**
- (iii) Note the challenges of progressing a major change in service delivery during a period of significant Covid-19 disruption and a changing operational environment due to the ongoing impact of the epidemic on children, young people and their families;**
- (iv) Agree to recommend to Moray Council the allocation of up to £203,664 from earmarked reserves for Council priorities to extend the existing temporary Education Support Officer (ESO) (ASN) post for a further period of two years; and**

- (v) to recruit an additional ESO (ASN), to provide additional capacity to support the ASN Review team, ELC settings and schools during the post Covid-19 period, and during a period of major change.

3. **BACKGROUND**

Meeting Additional Support Needs in Moray

- 3.1 Moray is an inclusive local authority; we model and promote the Scottish Government's Presumption of Mainstreaming – [Presumption to provide education in a mainstream setting: guidance – gov.scot](#). We have no special schools but we do offer enhanced provisions in seven of our secondary schools, and 10 of our primary schools. Responsibility for meeting the needs of children with additional support needs in our ELC settings and schools rests with the Nursery Managers and Head Teachers.
- 3.2 The Education Resources and Communities Service provides support to Head Teachers and Nursery Managers to meet the needs of children and young people with additional support needs in the following ways:
- 3.3 Allocation of budget to individual settings to fund Additional Support Needs (ASN) Teachers and Pupil Support Needs Assistants (PSAs). In 2022-23 the budget for Additional Support Needs Teachers was £5,368,146 (pay award not included), and the budget for PSAs was £6,301,207 (pay award included). This was an increase in the PSA budget from the previous year of £1.1 million to support the recognised increase in need following the Covid pandemic. ASN Teacher and PSA hours are allocated to schools on an annual basis. PSA hours for ELC settings are reviewed every 6 months to take account of the three admission points for ELC age children within each academic year. The ASN Teachers and PSAs are line managed within the ELC and school management structures.
- 3.4 Support, advice, training, 1:1 and small group support from the following central teams (following referral to the teams by Schools or ELC settings):
- Moray Social, Emotional and Behavioural Needs Service (SEBN)
 - providing education and support for children and young people affected by social, emotional and/or behavioural difficulties where a mainstream approach is in danger of breaking down. The service also has a role in developing the skills of education staff directly supporting a child by offering alternative approaches and modelling good practice.
 - Moray Autism Service (MAS)
 - Support for children and young people with Autism Spectrum Disorder (ASD), their parents and schools. The service includes an outreach service and a centrally managed specialist unit (B6) located at Elgin Academy
 - English as an Additional Language (EAL)
 - Provides support for children and young people who have English Language challenges. This is delivered via an outreach service whereby the EAL teacher and bi-lingual translators work with pupils in their local school environment.

- Sensory Education Service (SES)
 - Provides support for children and young people who have hearing or visual impairments. This is an outreach service whereby teachers, communication assistants and auxiliaries work with children & young people and staff in their local school environment, and in the home (in particular for pre-school age children).
- Educational Psychology Service
 - The primary role of the service is to provide advice and support to schools, parents and colleagues regarding the identification, and meeting the needs of children and young people with additional support needs.

3.5 Quality improvement and assurance support through the Quality Improvement Officer (ASN). The remit of this post includes oversight of the delivery of support to ELC settings and schools by the ASN Central Teams, and the delivery of ASN support for children and young people within schools. Oversight of ASN support within ELC settings is the responsibility of the Early Years Continuous Improvement Officers.

3.6 Since April 2022 the Education Resources and Communities Service has also offered additional resourcing to schools where there is a significant escalation in need. This is managed through the ASN Resource Group and often results in the allocation of budget to support individualised education packages, supported by commissioned services and/or third sector partners.

Background to ASN Review and links to wider Education Transformation

3.7 On 11 August 2021, the Education, Communities and Organisational Development Committee approved a Business Case and Action Plan to take forward the Review of Additional Support Needs Services (para 9 of the minute refers). The Business Case set out the challenges impacting on the effective delivery of ASN Services, and the scale of change required.

3.8 The Business Caseset out how the ASN support provided through the Education Resources and Communities central teams could be provided in a more responsive and effective way, in line with the national review of the implementation of Additional Support for Learning legislation (the ‘Morgan Review’) and the Moray ASN strategy (2017-27), and to better support our ELC settings and schools to enable children and young people with additional support needs to access education. The key areas of focus for the review were set out as follows:

- Review of enhanced provision model of support for children and young with the more complex additional support needs to determine if the model (and current environments) can meet needs in Moray now and into the future.
- Ensuring the allocation models for additional resource are fit for purpose and applied consistently.
- Review of Additional Support Needs central teams to ensure the central team resource is structured to meet current needs and demands.

- Review of Policies and Procedures to support the delivery of ASN support to schools and ELC settings.
- Review of the PSA job description and model of support, in line with the national review of the PSA role.
- Workforce development, with a particular focus on supporting practitioners to meet the needs of children and young people with the more complex additional support needs. Alongside this, workforce development to support inclusive and nurturing approaches (through the implementation of the Supporting all Learners Strategy (see para. 3.10 below) will ensure a suite of training is developed to support all learners and all levels of additional support needs.
- Development of tests of change, with a focus on the Forres Associated School Group (ASG) initially, to test out changes in approach prior to rolling out more widely.

3.9 The risks of not moving forward with the review were highlighted in the business case and included the following:

- Inability of the local authority to meet statutory requirements under the Education (Additional Support for Learning Act) (Scotland) Act 2004, which can lead to legal challenge;
- Escalating and uncontained costs, in particular where ELC settings and schools consider the allocation of PSA hours to be the only support available to them to effectively meet needs;
- Learners with additional support needs are unable to reach their full potential;
- Detrimental impact on the health and wellbeing of staff working within our ELC settings, schools and ASN Central teams.

3.10 The ASN Review supports and complements other work ongoing across Education to transform how we support all learners across Moray to achieve their potential. The Supporting all Learners Strategy is the overarching strategy for all children and young people, with a vision of 'supporting and enabling all our learners to be the best they can be' and a long term plan to develop our Education workforce to ensure all who work with our children and young people have the knowledge and skills to address barriers to learning and to meet our learner's wellbeing needs.

3.11 All children and young people will benefit from a shared vision of inclusion and nurture across Education and Education and Resources teams, including those with additional support needs. The ASN Review sits alongside this overarching strategy and will ensure learners with the highest levels of additional support needs are supported and enabled to be the best they can be; through specialist advice and support; and by ensuring they are supported by highly skilled staff within the most appropriate environment to meet their individual needs.

- 3.12 The Raising Attainment Priority within the Education Strategic Plan recognises the importance of Curriculum Innovation to ensure different and differentiated pathways for learning are developed to support individual achievement. The ASN Review will support this overarching strategy by ensuring the ASN staff within schools and the central teams have the capacity and skills to support the delivery of accredited courses to ensure all our learners, including those with the most complex additional support needs are supported to achieve.

4. PROGRESS TO DATE

- 4.1 The ASN Review implementation is a long-term, complex and multi-faceted programme of change. Progress has been challenging due to the scale of the task, the capacity of staff to engage with the Review during the pandemic, and the increasingly challenging operational environment. ELC settings and schools are reporting a significant escalation in behavioural concerns linked to developmental delay and social, emotional and behavioural needs, which diverts the time and energy of staff within schools, ELC settings and ASN Central teams away from strategic work and towards the day to day management of very demanding situations.

- 4.2 Nevertheless the operational challenges underline the importance of moving forward with the Review to secure a stable platform for the future. The progress against actions set out in the original Business Case are detailed in **Appendix 1**.

- 4.3 The ASN Review is a long-term programme of change, with actions required over a significant period of time. In order to continue to move forward and achieve our goals, while still providing support within a live and changing operational environment, we need to prioritise our activities. The following are the priorities identified for 2022-2023 that will both support the current system and lay the foundations for improvement and modernisation of the service in the future. These are detailed more fully in the action plan at **Appendix 1**.

Review of ASN Policies and Processes

- 4.4 Developing and reviewing policies and processes to ensure that staff have a clear understanding of the legislative and operational framework within which they are required to deliver their service, with a focus on identified policy and process gaps that are impacting on our current service delivery.

Additional Support Allocations

- 4.5 Reviewing ASN Teacher allocations for schools, and PSA allocations for both ELC settings and schools for the 2023-34 academic session – moving towards a more equitable and sustainable allocation model.

Models of Service Delivery (Enhanced Provision/Alternative Provision)

- 4.6 Using the data we have, and national and international learning, consider our education delivery models for children and young people with the highest level of additional support needs. This will require analysis of different delivery options for different types of need, and a detailed review of our enhanced provision offer in primary and secondary schools, and the Developmental Nursery offer in Early Years. There will be a further report to committee on this priority workstream.

Organisational Design and Structure

- 4.7 Considering the longer term structure of our Central ASN Teams to ensure they are fit for purpose to meet the needs of ELC settings, schools, and children and young people and their families.

Workforce Development

- 4.8 Developing and delivering training, modelling and coaching offers to respond to current needs, and to prepare the workforce for a future model of ASN Service Delivery that meets all our long-term goals.

Tests of Change (Forres ASG)

- 4.9 Taking forward two test of change projects in the Forres ASG, ensuring that impact can be demonstrated and measured.

Associated School Group (ASG) ASN Plans

- 4.10 Working with ELC settings, schools and partners to develop ASG level ASN plans that identify the needs of children and young people coming through the different stages of education so that ELC settings, schools and ASN Central teams can better plan to meet those needs, in terms of physical accommodation, staffing requirements, curricular offers, and the commissioning from partners of additional support offers.

5 RESOURCING

- 5.1 At its meeting on 15 September 2021 Council agreed to allocate £1,996,000 of Improvement and Modernisation funding to the Raising Attainment: Wellbeing Workstream to support the ASN Review both in terms of supporting change and improvement in the ASN service for the future, and to offer support to the system during the transition period (para 14 of the minute refers).
- 5.2 The service has now recruited into the temporary improvement and modernisation roles (since August 2022) as follows:
- Central ASN Support team (1 Principal Teacher (ASN) and 5 Teachers (ASN) to support change and improvement, with a focus on providing support to children and young people within their locality, and supporting schools to take a collaborative ASG approach to planning for Additional Support Needs.
 - Central Intensive Support Team (2 Teachers (ASN), 4 Pupil Support Workers) to provide additional support during the transition period, with a focus on rapid response where there is an escalation in need within a particular setting.
 - Central ASN Training Function (2 Teachers (ASN) to support the development and delivery of training to meet current and future needs.
- 5.3 The service is also using the agreed flexible funding package (£400,000) to allocate out temporary resource (via the ASN Resource Group) to support alternative provision where children and young people are unable to access

full-time education within a school environment. An assessment of the impact of these alternative provision packages will help inform the development of options for future enhanced or alternative provision solutions.

- 5.4 The Improvement and Modernisation allocation also included funding for a temporary (24 month) ASN Project Officer post. The service was successful in filling this post, however the Project Officer subsequently left to take up a permanent post elsewhere in the Council. The post has not been filled providing a saving back to reserves of £82,330.
- 5.5 On 18 November 2020 Education, Communities and Organisational Development Committee received a report outlining the challenges of delivering a major change programme across a service where critical posts within the service structure had been removed during previous budget reduction discussions. It was agreed at the time to reinstate an Education Support Officer (ESO) (ASN) post for an initial period of two years to support schools during the pandemic and to help provide a secure platform from which change could be driven (para 25 of the minute refers). As noted above the challenges of service delivery remain, as does the need to protect officer time to focus on the implementation of the ASN Review. It is therefore proposed to extend the previously agreed ESO (ASN) post for a further two years to ensure there is consistent and equitable provision of ASN outreach support to schools during this period of change.
- 5.6 The ASN Review is being managed as a project, with discrete, well-defined phases, milestones and project workstreams, however this approach has been challenged by the lack of resource specifically allocated to this 'project' and a sharp increase in operational demand, which diverts resource away from the ASN Review actions. The available resource to support the ASN Review is detailed in **Appendix 2**. All individuals allocated to support the review have operational responsibilities and/or are working across a number of key strategic programmes and projects and therefore face conflicting demands on their time. To support the Review team to deliver the ASN Review actions in a timely way it is further proposed to create a second temporary ESO (ASN) post for a period of two years.

6. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

This report supports the LOIP outcomes:

Building a better future for children and young people in Moray:

- A place where children and young people thrive;
- A place where they have a voice, have opportunities to learn and can get around;
- A place where they are able to reach their full potential

And the Aims of the Corporate Plan to:

- Provide opportunities where young people can achieve the potential to be the best they can be.

(b) Policy and Legal

There are no policy or legal implications arising directly from this report. The Council has a statutory duty to make adequate and efficient provision for the additional support required by each child or young person for whose school education it has responsibility for, in terms of the Education (Additional Support for Learning) (Scotland) Act 2004. The ASN Review implementation is proceeding within the context of this legislation.

(c) Financial implications

When the Council approved the budget for 2022/23 on 22 February 2022 (paragraph 3 of the Minute refers) it balanced only by using reserves and one-off financial flexibilities. The indicative 3 year budget showed a likely requirement to continue to make savings in the order of £20 million in the next two years. All financial decisions must be made in this context and only essential additional expenditure should be agreed in the course of the year. In making this determination the committee should consider whether the financial risk to the Council of incurring additional expenditure outweighs the risk to the Council of not incurring that expenditure, as set out in the risk section below and whether a decision on funding could reasonably be deferred until the budget for future years is approved.

To support the implementation of the ASN Review it is proposed to continue the previous reinstatement of the Education Support Officer (ASN) post for a further two years at a cost of £140,566, and to change the previously agreed 24 month ASN Project Officer post into an additional Education Support Officer (ASN) post, also for two years, at a further cost of £63,098.

(d) Risk Implications

There is a risk that we are unable to meet our statutory requirements under Additional Support for Learning legislation if we cannot provide meaningful and effective support for our children and young people with additional support needs. In some cases this can lead to legal challenge.

(e) Staffing Implications

It is proposed to extend a previously agreed temporary Education Support Officer (ASN) post for a further two year period. This post is currently filled. It is further proposed to amend a previously agreed ASN Project Officer post to a temporary Education Support Officer (ASN) post for a two year period to provide additional capacity to support the ASN Review team and schools and ELC settings during this period of change. The ASN Project Officer post is currently vacant.

(f) Property

There are no property implications arising directly from this report, however there may be property and capital investment implications as we move forward with our implementation plans.

(g) Equalities/Socio Economic Impact

The implementation of the ASN Review will help ensure we can effectively meet the needs of all our children and young people with additional support needs in our schools and early year's settings both now and into the future.

(h) Climate Change and Biodiversity Impacts

There are no climate change or biodiversity issues arising directly from this report.

(i) Consultations

The Head of Education (Chief Education Officer), the Chief Financial Officer, the Head Teacher SEBN, the Quality Improvement Officer (ASN), the Principal Educational Psychologist, Stewart MacLauchlan, Quality Improvement Manager, Rachel Wilson, Quality Improvement Manager, Tracey Sutherland, Committee Services Officer, the Human Resources Manager, and the Equal Opportunities Officer have been consulted on this report and their comments have been incorporated.

7. CONCLUSION

7.1 This report sets out progress to date with the implementation of the review of ASN Services, and priorities for the 2022-23 academic year. It also highlights the scale of the programme, and the challenge of delivering change within a complex and changing environment. The proposed temporary Education Support Officer (ASN) resource will help provide much needed support to schools during this Covid-19 Recovery period, and ensure there is capacity within the ASN teams to drive forward improvement and modernisation at the desired pace.

Author of Report: Jo Shirriffs, Head of Education Resources and Communities

Background Papers:

Ref: SPMAN-9425411-90
SPMAN-9425411-121
SPMAN-9425411-122