



**REPORT TO: EDUCATION, COMMUNITIES AND ORGANISATIONAL
DEVELOPMENT COMMITTEE**

SUBJECT: REVIEW OF ADDITIONAL SUPPORT NEEDS SERVICES

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

1. REASON FOR REPORT

- 1.1 The Improvement and Modernisation Programme incorporates 8 workstreams established to deliver transformational change within the council. One major workstream is Transforming Education, which includes transformation of the Additional Support Needs (ASN) service. This report provides an update on progress made in this area, and proposed next steps.
- 1.2 This report is submitted to the Education, Communities and Organisational Development Committee following a decision of Moray Council on 17 June 2020 to agree a simplified committee structure as a result of the COVID-19 pandemic. In the case of this committee the combining of the delegated responsibilities of Children and Young People Services, Governance, Strategy and Performance, (para 9 of the minute refers).

2. RECOMMENDATION

2.1 It is recommended that Committee:

- (i) note the timeline for bringing forward a business case for the ASN Review;**
- (ii) agree to recommend to Full Council the creation of an Inclusion Manager post for an initial period of two years to stabilise ASN services and to progress the transformation agenda (at a cost of £83,258 per annum);**
- (iii) agree to recommend to Full Council the reinstatement of the second ESO (ASN) post for an initial period of two years to provide capacity to support schools during the Covid-19 pandemic and to help provide a secure platform from which change can be driven forward (at a cost of £68,244 per annum);**
- (iv) note the outcomes of the ASN Staffing Change Management Plan and agrees to allocate the Council's Support for Learning budget**

for academic year 2020/21 to schools for PSA hours on a needs basis;

(v) agree to use the (carried forward) 2019/20 Scottish Government Additional Support for Learning funding to develop the proposed Pupil Support Worker role as a test of change to inform the development of the ASN Review Business Case; and

(vi) agree to use the 2020/21 Scottish Government Additional Support for Learning funding to provide flexibility to meet emerging additional support needs in school year (including needs associated with the impact of COVID-19) through the allocation of additional PSA hours.

3. BACKGROUND

3.1 The 'Improvement and Modernisation Programme' report to this Committee on 23 September 2020 included high level updates on all Improvement and Modernisation workstreams, noting that Covid-19 had impacted on programme delivery timescales, in particular for projects still at the definition stage.

3.2 The ASN Review has been at definition stage for a significant period of time. The review has been delayed by the Covid-19 pandemic, but also by a number of changes within the service, including the management restructure. There has been some definition work completed, with a particular focus on supporting children with social, emotional and behavioural needs (SEBN), and some thinking around how to better meet the needs of children and young people with severe and complex needs, however further work is required before a business case that encompasses the full breadth of ASN services can be brought to Committee for agreement on the way forward for ASN services in Moray.

3.3 A particular challenge for ASN services currently is a lack of a capacity to support schools to develop the skills and practice required to deliver a positive educational experience, where all learners in the school community can be supported to attain to their full potential, within the context of a steady increase in the numbers of children and young people with additional support needs. An increase that has been further exacerbated by the current pandemic. During previous budget considerations, posts were removed from the ASN service structures to contribute to budget savings. However, it has emerged that revised structures to fully incorporate and accommodate these changes were not finalised. While there may be an argument for lean management structures, it is difficult to progress major change with limited strategic level capacity, while at the same time operating services that carry major risks for the council.

3.4 The ASN services currently sitting within the ASN Review are:

ASN Education Support Officers (ASN ESO) - providing outreach support for schools, with responsibility for allocations of funding for PSAs and ASN teachers to schools based on assessed levels of need of children & young

people. This support allows children to integrate according to their needs into mainstream school and to engage with the school curriculum.

SEBN Provision – providing education and support for school aged 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.

Autism Service – Support for children and young people with Autism Spectrum Disorder (ASD), their parents and schools. The service includes an outreach service and a specialist unit (B6) 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 a wholly 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.

In 2018, when the original ASN Review project mandate was written, line management of the above teams fell as follows:

- **Head Teacher SEBN** – SEBN Service, Looked After Children Teacher and Gypsy and Traveller teacher.
- **Principal Educational Psychologist** – Educational Psychology Service
- **ASN Manager** – ASN ESO (x2), Autism Service, EAL, SES

In addition, the Integrated Children's Services Wellbeing Manager undertook a number of policy development/lead officer responsibilities relating to Education/ Inclusion Services.

- 3.5 The ASN Manager post and one ASN ESO post were removed from the ASN structures in 2018. The management responsibilities of the ASN Manager post were shared informally between the remaining third tier posts (Head Teacher SEBN, Principal Educational Psychologist and ICS Wellbeing Manager) as a temporary measure until the ASN Review was completed. In late 2019 the Wellbeing Manager resigned his post and the decision was taken to again divide up the line management responsibilities between the two remaining third tier management posts as a temporary measure. As a result of the Council senior management restructure in October 2019, it was further agreed that as the Wellbeing Manager remit covered all aspects of Integrated Children's Services the duties of the post would be split 50:50 between

Children & Families and Criminal Justice Social Work and what would become the Education Resources & Communities Service. This has enabled the post to be adjusted to provide a Service Manager for the new Communities function as the post also had third tier responsibility for Community Learning & Development and Outdoor Learning.

- 3.6 In late 2019 the Head Teacher SEBN was seconded for 50% of her time (until end February 2020) to develop the business case for the ASN Review. Progress was made but was limited by ongoing pressures within her substantive remit. As a result of ongoing capacity issues, including additional support requirements relating to COVID-19, the two remaining third tier officers are no longer able to provide temporary line management cover. Line management responsibility for the ASN ESOs, SES, EAL and the Autism Service therefore now fall directly to the Head of Education Resources and Communities.
- 3.7 As noted above the ESOs (ASN) provide outreach support to our 53 schools. It has not been possible to reduce the team size down from two to one within the current context and operating model without introducing significant risk. We are therefore continuing to fund the second ESO post using underspends from Education budgets. This can only be sustained for a short period of time as it removes resource from another priority area.
- 3.8 In addition to the requirement to review our provision of ASN services there are a number of other pressing operational issues that require to be managed to ensure we have a secure platform from which we can move forward, including:
- The service is currently reviewing how PSA hours are allocated to schools and early years' settings. The previous formula was out of date and could no longer be applied within budget due to a year on year increase in the number of children and young people with additional support needs in Moray (an increase of 66% since 2013-14). A new formula has been developed, and formed the basis of the ASN staffing change management plan (see paragraphs 3.11 to 3.15). The new formula will be implemented from November and will then need to be reviewed over the course of this academic year to determine if the processes relating to the assessment of need are fit for purpose and being consistently applied across all schools and early years' settings.
 - There are a small number of schools where there are significant levels of need, in particular relating to challenging behaviour, which is impacting on whole school environments and the staff working within them. The ASN teams are currently providing intensive support in two schools, which is having an impact on overall capacity across the service (but impacting positively on the two schools concerned).
 - There are a number of ASN related policies, processes and contracts that are either out of date, or do not exist, which is impacting on the ability of service managers to make decisions in a consistent and structured way. The relevant policy and process reviews need to be taken into account

when considering future team structures as any new processes will need to be factored into future individual and team roles.

- There are a number of individual cases where there are challenges relating to the provision of education. Each of these cases requires intensive input from staff across a number of ASN teams to ensure the needs of the children and their families are being effectively met, and to prevent escalation to costly out of area placements.

Moving forward with the ASN Review

- 3.9 Previous work relating to the ASN Review has put forward the need for change, but hasn't always recognised the extent and scale of the work required to develop ASN services that are fit for the future. The service had planned to bring forward a business case for approval by Committee by the end of this year. Whilst there is still the intention to develop a business case, it is recognised that there are a number of steps that need to be taken to develop a considered and evidenced strategic case, whilst ensuring that the services can continue to operate effectively meantime.
- 3.10 The proposal is to take a phased approach to the review of ASN as follows:

Phase 1 (Stabilise and learn):

- Stabilise the ASN service by addressing capacity issues. The proposal is to recruit a temporary (two years) Inclusion Service Manager reporting into the Head of Education Resources & Communities, with responsibility for strategic oversight of all ASN Services, and development of the strategic case for change. It is further proposed to reinstate the second ESO (ASN) post for an initial two-year period to assist with the stabilisation of the service and to ensure that we can continue to support schools to meet the needs of children and young people during this period of change.
- Stabilise the Autism Service. This team currently presents the highest risk in terms of effectively meeting the needs of children & young people and their families. The referral processes, management systems, staffing structures and team practice all require urgent attention.
- Implement the school based PSA allocations for this year, but work with schools to ensure the processes for assessing need are sufficiently robust, and consistently applied so that there is a better understanding of the scale and breadth of additional support needs of children and young people across Moray to inform the development of the ASN business case.
- Consider and respond to the immediate training needs of schools, taking the learning from the PSA allocation process, with a focus on embedding staged intervention approaches across all our schools.
- Consider how targeted, time-limited intervention within schools with significant challenges can be taken forward in a way that has long-term impact.

- Develop a plan for the review of policies, processes and contracts, ensuring alignment with the wider short, medium and long-term plans for change through the ASN Review.
- Once the service is stabilised, identify resource within the service, supplemented by Improvement and Modernisation resources, to support phase 2 (Discovery).

Phase 2 (Discovery):

- Building on the learning from phase 1, further development and refinement of the case for change within ASN services.
- Engagement and involvement of all stakeholders to ensure the future design of our services is informed by the voice of the child, young person, family and the professionals supporting them.
- Engagement with Community Planning Partners to ensure our proposals align with and support related partnership proposals (with a particular focus on family support).
- Development of ASN Business Case and supporting change management plans, including identification of any financial benefits that may accrue as a result of the proposed changes. Note: any financial benefits are expected to be longer term.
- Development of training plan for ELC and school based staff that will support the changes presented within the ASN Business Case. For example, classroom teachers may need training to help them support a wider range of need if the business case is proposing a more focussed role for ASN teams.
- Continue with the review of ASN related policies and contracts to ensure they are fit for purpose in a changing environment.
- Resource requirement for phase 3 (Implementation) identified and included within the Business Case. This is likely to be a project management resource.

Phase 3 (Implementation):

- Implementation of agreed changes over a period to be identified in the business case/change management plan(s).

The intention would be to move to Discovery Phase in the new year, and Implementation by mid 2021.

Change Management Plan ASN Staffing

- 3.11 The Change Management Plan (CMP) ASN Staffing was approved by Emergency Cabinet on 12 August 2020 (para. 20 of the minute refers). The CMP set out our approach to allocating Pupil Support Assistant (PSA) hours

for this academic year, with a clear focus on support for children and young people with the highest level of needs, and on the premise that PSA hours are to be used for targeted support.

- 3.12 The CMP also proposed that a proportion of the council's Support for Learning budget (which covers ASN teaching and support staff in schools) be used to fund a new central Pupil Support Worker role work alongside teaching staff within our Social, Emotional and Behavioural Needs (SEBN) team, our ESOs (ASN) and our Educational Psychology Service to provide targeted and time limited support within schools where there are particular pressures in terms of wellbeing and additional support needs.
- 3.13 At the start of the new academic year schools were invited to submit additional evidence of additional support needs to allow a moderation process to take place to confirm PSA allocations for each school. It has been noted previously in this report that we are continuing to see a steady increase in additional support needs in our schools, with a further rise generated by the impact of COVID-19. This continuing increase in need was further evidenced during the moderation process.
- 3.14 The CMP consultation process recognised the potential of the proposed Pupil Support Worker role, but highlighted a number of concerns from schools that resources would be redirected from their settings at a critical time, when they are dealing with issues relating to COVID-19 recovery (in particular the need to maintain and staff classroom 'bubbles'), and are continuing to see emerging needs relating to the pandemic.
- 3.15 The proposal is therefore to allocate all the Support for Learning funding out to schools this academic year, using the revised allocation model, and to review the assessment and allocation process during the course of the year in line with the 'Stabilise and Learn' phase noted above.

Additional Support for Learning Implementation

- 3.16 On 6 January 2020 the council received confirmation of the distribution of funding for delivery support for the implementation of Additional Support for Learning. The funding is being provided by the Scottish Government to improve the experiences of children who need additional support, and their families, and is intended to provide:
 - Access to additional support staff delivered in a way that provides meaningful progress and traction.
 - Support improved and enhanced capacity, which will make the most difference and lead to better experiences for children and young people, who require additional support, and their families.

The funding is intended for the provision of pupil support staff in schools and should build the capacity of education authorities and schools to respond more effectively to the individual needs of children and young people, recognising the empowerment agenda and in the context of Getting it Right for Every Child.

- 3.17 Moray Council's share of the funding was £257,000 for 2019/20 and £257,000 for this academic year. The £257,000 for 2019/20 was not spent due to the funding announcement coming too late in the year to be used in the 2019/20 academic year, followed by the COVID-19 pandemic. It was agreed at Emergency Cabinet on 12 August 2020 to roll the funding forward to academic year 2020/21, meaning there is £514,000 available for this academic year.
- 3.18 It is proposed to use the 2019/20 funding to develop the proposed Pupil Support Worker role (originally proposed in the ASN staffing CMP) as a test of change to inform the development of the ASN Review Business Case.
- 3.19 The PSA allocations that will go out to schools in November will use all of the existing council Support for Learning budget. It is therefore proposed that the 2020/21 Scottish Government Support for Learning funding is used to provide additional flexibility to meet any further emerging needs in schools as the year progresses.

4. SUMMARY OF IMPLICATIONS

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

This report relates to the priority 'Provide opportunities where young people can achieve their potential to be the best they can be' from the Corporate Plan and to 'Building a better future for our children and young people in Moray' from the LOIP.

(b) Policy and Legal

There are no policy or legal issues arising directly from this report. Additional Scottish Government funding is given to support Councils in working towards Scottish Government priorities.

(c) Financial Implications

To stabilise the service and deliver the ASN Review there is a requirement for a temporary Service Manager post (initial period of two years, estimated Grade 13 £83,258 (per annum)) and the reinstatement of the second ESO (ASN) post (initial period of two years, £68,244 (per annum)) at a total cost of £303,004). It is proposed that this additional budget is met from the ear-marked reserves for Council priorities and transformation for the 2 year transformation period. The service review aims to stabilise the service and ensure appropriate processes are in place to manage escalating demand, costs and risks to reduce potential future budget pressures. This will include a review of the operating model and management structure for the service and the aim will be to achieve this and service demands within the current service budget. However, if this is not possible any future years' budget provision would fall to be considered as a budget pressure as part of the financial planning process.

Moray Council has been allocated Scottish Government funding of £257,000 for 2019/20 and £257,000 for 2020/21 (£514,000 for this academic year) to improve the experiences of children who need

additional support, and their families. Proposals for using this funding to meet the Scottish Government aims are set out in this report.

(d) Risk Implications

There is a risk that if we are unable to stabilise the service we will be unable to provide effective support to meet the needs of children and young people with additional support needs, and their families, as required under Additional Support for Learning legislation.

There is a risk that if we are unable to develop a secure platform from which change can be driven we will be unable to transform our services to better meet the changing needs of our children and young people, resulting in continuing increases in the number of children and young people with additional support needs (including an increase in the complexity of needs) at a time of reduced resources to support those needs. This will have implications for the escalation of the cost of the service, which could be significant both collectively and in individual cases.

The review also aims to provide a learning environment that supports attainment for all and there is a risk to this if resources are not available to manage the service and the review.

(e) Staffing Implications

It is proposed to create a new (temporary) post at Service Manager level with strategic oversight across all ASN services. It is proposed to reinstate an ESO (ASN) post on a temporary basis to provide additional operational capacity to help support schools during the COVID-19 recovery and during any period of change that will be set out in the ASN Review business case and any accompanying change management plans.

(f) Property Issues

There are no property issues arising from this report.

(g) Equalities/Socio Economic Impact

The actions as set out in this report will help to ensure the ASN services can effectively meet the needs of all children and young people in Moray with additional support needs both now and into the future.

(h) Consultations

The Head of Education (Chief Education Officer); the Head of Children & Families and Justice Social Work; Karen Lees, Quality Improvement Manager; Stewart McLauchlan, Quality Improvement Manager; the Head of Finance; Paul Connor, Principal Accountant; the Equal Opportunities Officer; and Tracey Sutherland, Committee Services Officer have been consulted and are in agreement with the contents of this report as regards their respective responsibilities.

5. CONCLUSION

- 5.1 The report sets out a timeline for the review of ASN services, but recognises that additional resources will be required to stabilise ASN services and to meet the objectives originally set out in the ASN Review project mandate.**
- 5.2 The report also make recommendations relating to the ASN staffing change management plan and additional Support for Learning funding from the Scottish Government.**

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Background Papers:

Ref: