

Education (Additional Support for Learning) (Scotland) Act 2004 Introducing the Act

What is this Act about?

- New legislation called the Education (Additional Support for Learning) (Scotland) Act 2004 came into force on 14 November 2005.
- The legislation introduced the term, 'additional support needs' instead of special educational needs.

What is meant by additional support needs?

- Additional support needs is a broader, more inclusive term and includes significant numbers of children and young people.
- All children and young people need support in order to learn, but some require support which is additional to, or different from, what is normally provided.
- For most of these children, their needs will be planned for through normal school planning processes e.g. Personal Learning Planning or Individualised Educational Programmes (IEP). See Information Sheet 10 for further details.
- Additional support needs can be short or long term. For instance, additional support may be needed for a child or young person who:
 - is being bullied
 - has behavioural or learning difficulties
 - is deaf or blind
 - is particularly gifted
 - is bereaved
 - is not a regular attender
 - is living with parents who are abusing substances
 - is looked after

These are just some examples.

- It is the impact upon the individual of any particular factor which will be critical in determining whether the child or young person requires additional support.

How does the Act make a difference?

- The Education (Additional Support for Learning) (Scotland) Act 2004 emphasises good multi agency assessment.
- It introduced new duties on education authorities to benefit young people and parents. Full details can be accessed via the website <http://www.scotland-legislation.hmsso.gov.uk/legislation/scotland/>
- A Co-ordinated Support Plan will be prepared for a small number of children and young people with additional support needs, specifically those with:-
 - ongoing needs arising from complex or multiple factors
 - needs which are likely to continue for more than a year
 - a requirement for significant support from specified agencies other than education i.e. Health, Careers Scotland, FE/HE Institutions and/or a non-education function of the local authority e.g. Social Work as well as significant support from education.

- Parents have the right to:
 - ask the education authority to find out whether their child has additional support needs or needs a Coordinated Support Plan.
 - ask for a specific type of assessment and /or examination
 - make a placing request to an independent special school if their child has additional support needs.
 - use a free mediation service and a dispute resolution service.
 - appeal to an independent tribunal on matters related to Coordinated Support Plans.
 - have a supporter or representative with them at any meeting with the school or education authority and at tribunal hearings.

Where can I find more information?

- In the first instance, the school will be happy to respond to enquiries regarding your child.
- Information may also be obtained by contacting, ASL Co-ordinator, at Pullar House on 01738 476390
- Further information on the Act is available from <http://www.scotland-legislation.hms.gov.uk/legislation/scotland/>
- Information and advice is also available from Enquire Helpline on 0845 123 2303
- Email: info@enquire.org.uk
- See other Information Sheets in the series:
 - ❖ Sheet 2 New Rights for Parents, Children and Young People
 - ❖ Sheet 3 Providing Additional Support
 - ❖ Sheet 4 Identifying, Monitoring, and Reviewing Additional Support Needs
 - ❖ Sheet 5 Educational Plans
 - ❖ Sheet 6 Additional Support Meetings
 - ❖ Sheet 7 Resolving Disagreements
 - ❖ Sheet 8 Sources of Support and Advice
 - ❖ Sheet 9 Providing Additional Support for Children under 5
 - ❖ Sheet 10 Individualised Educational Programmes (IEP)
 - ❖ Sheet 11 Transitions
 - ❖ Sheet 12 Preparing for Adulthood – Post School Transitions

These are also available online at www.pkc.gov.uk and follow the path:
Education and Learning, Schools, Schools – Additional Support Needs – Information Sheets

If you or someone you know would like a copy of this document in another language or format, (on occasion only a summary of the document will be provided in translation), this can be arranged by contacting: - Communication Manager on 01738 476873

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