



**UNISON Scotland response:
Supporting Children's Learning Draft Code of Practice
September 2017**

Introduction

UNISON is Scotland's largest trade union with members across the public, private and voluntary sectors. UNISON members work in a range of settings in nurseries, schools, health services and across local government delivering education and care services for children including those with additional support needs. UNISON therefore welcomes the opportunity to take part in this consultation on a code of practice.

General comments

UNISON members are clear that currently we are not getting it right for children with additional support needs. A draft code, while welcome, will not work without appropriate funding for both the day-to-day delivery of those services and for training and professional development for all the staff working with those children. The code therefore needs to ensure that it includes all staff not just teachers who are working with children with additional support needs. (ASN)

The Education and Skills Committee reportⁱ into Additional Support Needs (ASN) supports UNISON's belief that Scotland is a long way from meeting its aspirations for children with additional support needs. There are some great strategies and policy commitments to support children with additional support needs but these have not been matched with adequate funding to enable their implementation or recruitment, training and support for the staff in order to ensure they can deliver the correct support.. The code needs to lead to change not become yet another document gathering dust.

Parents often have to fight to get the additional support their child needs. When parents (who are able to fight) "win" that fight there is no additional funding attached to implement the decision. This therefore has an impact on provision of services for other children relying on that budget. The Scottish government needs to develop much more detail on the demand for support services for children with ASN. There then needs to be funding to meet those needs. It is also clear that there is a risk that those from better-off backgrounds have higher chances of winning those battles and so further increasing the attainment gap. We fully support the education committee's call for review of the finances available to deliver on the widely supported aims of the original Bill and Getting It Right For Every Child.

UNISON conducted a survey of school staff earlierⁱⁱ in the year and while the survey was about the impact of cuts on schools, members working with children with ASN consistently reported that that they were not getting adequate training and support to deal with the complex needs of the children they were supposed to be supporting. Members in nurseries also report similar experiences.

The code implies that it is generally teachers who are working closely with children with ASN. It is more often early years workers, support workers, classroom assistants and pupil support assistants. Since 2010 the number of pupils with additional support needs has doubled but there are 1841 fewer support staff in local authorities. Members in nurseries have similar experiences. Sadly there are no official figures for the third sector but the

experience of our members there is of tight budgets, increased workloads and job cuts. Across Scotland our members are telling us that they are dealing with children with complex physical and behavioural support needs with minimal training and support. Getting it right for every child with additional support needs cannot be done on the cheap. There needs to be more staff and better training and professional development for all staff not just teachers. This is particularly important in early years settings where interventions can have the most significant impact.

Detailed comments

Who should read the code?

UNISON welcomes the mention of our members who are often the forgotten workers in education. However the rest of the document does not reflect the reality that it is not teachers who do the bulk of the day to day work with children with ASN in our schools.

Section 7. This section states that employers should “encourage and support their employees in gaining knowledge of the content of the code and understanding of its application in their day to day work”

Members consistently report that they are offered very little training and that they are given work related information to read but have no time in their work day to actually sit and read papers. Employers therefore need to provide actual training on the code not just encourage staff to familiarise themselves with it. This should be in work time.

Chapter 3 Meeting Additional Support Needs

Section 11. The named person scheme is not yet fully operational nor has the issues regarding information sharing round the named person scheme been resolved. The code does not reflect these challenges. There needs to be clear guidance on how health visitors will make arrangements for the transition to education rather than just stating that they should do so. Clarification of the links between health visitors and nurseries would also be welcome.

Section 14: There are clear funding implications for schools, local authorities and health boards once a child’s support needs have been identified. This section cuts to the problem with the current ASN process: funding. If as the code states health boards can refuse to provide support if they don’t have capacity then a child will not get the support they require. The same could be said within schools: if a child needs one to one support from a classroom assistant but all the current classroom assistants are “working to full capacity”. If we are to get it right for every child then we need a funding mechanism to ensure that when an individual’s additional support needs are identified then funding is made available for those needs rather than the current process that leads to existing resources being spread more thinly across an establishment. The code will not achieve its aims without funding.

Section39: Again this section ignores the current challenges to the named person legislation and the sharing of information.

Chapter 5

Section 25 If a request for an assessment comes from a private school who pays for the assessment and if needs are assessed who pays for any additional support needs that are identified?

Section 60 It is important to identify who has access to the co-ordinated support plan. As stated in this section it is more likely that a classroom assistant will be working most closely with the child but they seldom have access to that plan. Not only is it vital that the plan clearly identifies the support needed it also needs to ensure that the staff identified as providing that support have appropriate training in order to meet the needs of the child. Members working with children with additional support needs across all sectors consistently report that they have little or no training to enable them to support the children they work with. The training that is offered is more often “cascaded” from someone else who has attended training rather than delivered directly to the person working most closely with that child.

Section 65 Those working with children with additional support needs need to know more than “what is required of them under the plan”. They need adequate training and support to ensure that they are confident and competent to meet the needs of that child.

Section 89: UNISON welcomes the recognition that the plan should be used and referred to regularly. All too often the person working most closely with a child with ASN has never seen the child’s plan. The plan will only be a proper working document if it is supported with the appropriate resources including the equipment and properly trained staff to implement it.

Section 91: The code needs to reflect what actually happens in our schools and nurseries. The person working most closely with a child is more likely to be an early years worker, classroom assistant, pupil support worker or a support worker. They are the key workers and need access to the plan in order to do their jobs properly.

Chapter 7

Section 18 It is not teachers but classroom assistants and support workers who spend the most time working with children with additional support needs. The code needs to reflect the reality of what is happening or change practice to ensure that it is teachers who are working with children.

Section 40

The practices laid out in this section are all welcome. Following the practices will have time and cost implications and these will need to be funded if they are to be implemented.

Conclusion

UNISON members work in a range of roles supporting children with additional support needs in education, health and the third sector. UNISON therefore welcomes the opportunity to take part in this consultation. Our members are clear that currently we are not getting it right for children with additional support needs. It is clear that in order for the code to deliver change there needs to be appropriate funding for both the day to day delivery of those services and for training and professional development for all the staff working with those children. UNISON therefore welcomes the opportunity to comment on the draft code.

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ⁱ http://www.parliament.scot/S5_Education/Reports/ASN_6th_Report_2017.pdf

ⁱⁱ <http://www.unison-scotland.org/2017/01/16/hard-lessons-support-staff-struggling-to-maintain-standards-for-pupils-because-of-cuts/>