

COUNTRY SYSTEM MAPPING

Country Report: United Kingdom (Scotland)

European Agency for Special Needs and Inclusive Education



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This country report has been drafted by Marcella Turner-Cmuchal for the Agency in co-operation with the United Kingdom (Scotland) Team:

Representative Board member: Laura-Ann Currie

Country Analyst: Frances Foreman



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Secretariat

Østre Stationsvej 33

DK-5000 Odense C Denmark

Tel.: +45 64 41 00 20

secretariat@european-agency.org

Brussels Office

Rue Montoyer 21

BE-1000 Brussels Belgium

Tel.: +32 2 213 62 80

brussels.office@european-agency.org



CONTENTS

INTRODUCTION	5
SECTION 1. BACKGROUND TO THE INCLUSIVE EDUCATION SYSTEM	10
SECTION 2. THE EDUCATION SYSTEM	26
SECTION 3. LEGISLATIVE AND POLICY FRAMEWORK	39
SECTION 4. SYSTEM GOVERNANCE	54
SECTION 5. QUALITY ASSURANCE AND ACCOUNTABILITY	64
SECTION 6. STAKEHOLDER COLLABORATION, CO-OPERATION AND EFFECTIVE COMMUNICATION	73
SECTION 7. FINAL COMMENTS AND REFLECTIONS	82



INTRODUCTION

The goal of the Country System Mapping (CSM) activity is to identify, map and analyse the key features that impact the effective implementation of inclusive education policy in practice in all Agency member countries' education systems. In a departure from previous thematic activities undertaken by the European Agency for Special Needs and Inclusive Education (the Agency), CSM considers the **whole** education system from the perspective of implementing policy for inclusive education in practice. However, within this system-wide view, there is a focus on the specific priorities Representative Board members (RBs) have already identified in relation to monitoring and evaluation, cross-sector working and quality assurance.

The main output from the CSM work is a systematic mapping of information on each country's education system.

Information from the individual CSM Country Reports has been analysed in two ways:

- **Thematic Analysis** to highlight issues (challenges and opportunities) emerging from the reports to use as the starting point for the Agency's Thematic Country Cluster Activities (TCCA).

Challenges for inclusion are defined as things the country needs to work on to reach an inclusive education system. Strengths for inclusion are things that encourage and reinforce inclusive practice in the country and could potentially be shown as an example to other countries.

- **Mapping** to inform TCCA groupings, based on the system structures and processes countries have (or do not have) in common.

The agreed goal for the mapping element of the CSM analysis work was to highlight parameters, or comparative factors, that indicate which country systems are structured and/or working in different – or similar – ways.

The information from the CSM work will be used within the remainder of the [Multi-Annual Work Programme 2021–2027](#) (MAWP). As of autumn 2024, country cluster activities will be organised which are closely aligned to individual country approaches to key issues for inclusive education, as well as system structures and processes countries have in common.



Work within a shared vision for inclusive education systems

All Agency work is aligned with the [position on inclusive education systems](#). This agreed position states that the ultimate vision for inclusive education systems is to ensure that:

All learners of any age are provided with meaningful, high-quality educational opportunities in their local community, alongside their friends and peers ([European Agency, 2022, p. 1](#))¹.

Agency work focuses on supporting the development of inclusive education systems in member countries to ensure every learner's right to inclusive and equitable educational opportunities. This aim is directed at all learners. However, all aspects of Agency work clearly recognise that some groups of learners face obstacles and barriers that mean they should be considered **learners vulnerable to exclusion from inclusive education in mainstream schools in their local community, alongside their friends and peers**.

UNESCO identifies the possible obstacles and barriers to education learners may face as arising from:

... gender, remoteness, wealth, disability, ethnicity, language, migration, displacement, incarceration, sexual orientation, gender identity and expression, religion and other beliefs and attitudes ([UNESCO, 2020, p. 4](#))².

Many learners may face a combination of these factors and the intersectional (inter-connected) nature of learners' needs must be acknowledged. Every learner has their own unique experiences of discrimination and/or barriers to learning. Everything and anything that can marginalise learners and increase their chances of exclusion from mainstream inclusive education must be understood and recognised.

All Agency member countries are committed to working towards ensuring more inclusive education systems. They do so in different ways, depending on their past and current contexts and histories. Inclusive education systems are a vital component within the wider aspiration of more socially inclusive societies that all countries align themselves with, both ethically and politically. However, all Agency work clearly recognises that countries have differences in their ways of thinking about, identifying and making provision for different groups of learners who may be considered vulnerable to exclusion from inclusive education.

All countries have undergone key conceptual changes in their thinking and policy priorities for developments as they move towards inclusive education as an approach that ensures high-quality education for all learners. Across countries, the first shift was made from the concept of special educational needs to special needs education. This shift represented a focus away from the learner (identified as having special educational needs) towards a focus on the provision they receive (special needs education for learners who experience difficulties at school). The term 'special needs education' has also widened the focus

¹ European Agency for Special Needs and Inclusive Education, 2022. *Agency Position on Inclusive Education Systems*. Odense, Denmark

² UNESCO, 2020. *Global Education Monitoring Report: Inclusion and education: all means all*. Paris: UNESCO



beyond learners with disabilities to include learners who appeared to be failing in school for a wide variety of reasons.

It is worth emphasising here that there have never been agreed definitions of the concepts of special educational needs or special needs education that can be consistently used across countries. The groups of learners considered as having special educational needs which require additional provision largely differ across countries.

The most recent shifts emphasise a move away from a concern with types of special needs or the categories a learner may or may not fall into, towards thinking of inclusion and inclusive education as an approach for all learners. They emphasise the barriers experienced by learners and focus overall on learners who may be vulnerable to exclusion from educational opportunities for different reasons.

Agency work focuses on supporting the development of inclusive education systems in its member countries to ensure every learner's right to inclusive and equitable educational opportunities. This aim is directed at all learners, while recognising the need to specifically address learners who may be vulnerable to exclusion from inclusive education.

Overview of the Country System Mapping

The information collected in the CSM activity aims to provide evidence of and reflection on **where countries currently are** in their inclusive thinking, policy and provision for all learners, but in particular for those learners vulnerable to exclusion from inclusive education.

CSM work focuses on the **whole** education system and how certain structures, mechanisms and processes may impact on the implementation of policy for inclusive education in practice. It aims to get insights into how the needs of all learners – including individuals or groups of learners vulnerable to exclusion from inclusive education – are being considered. Many questions refer to learners vulnerable to exclusion from inclusive education. Countries have opportunities to clarify what 'learners vulnerable to exclusion from inclusive education' means for them and their systems.

However, it is acknowledged that it may not be possible for countries to provide information covering all learners and all learner groups.

The questions specifically focus on four priorities RBs have identified for wider future Agency work in relation to:

- Monitoring and evaluation
- Cross-sector working
- Quality assurance
- Effective policy implementation.

There are six main sections:

Section 1. Background to the inclusive education system

Section 2. Overview of the education system

Section 3. Legislative and policy framework



Section 4. System governance

Section 5. Quality assurance and accountability

Section 6. Stakeholder collaboration, co-operation and effective communication

Where countries have provided additional comments and reflections, these are included in a separate Section 7.

In each of these sections, relevant information was collected covering International Standard Classification of Education (ISCED) levels 02 (pre-primary education) to 3 (upper-secondary education).

Each section has two subsections which require different types of country information, as outlined below.

All questions were rephrased into statements for the purpose of this report.

System description

Sections 1 to 6 include specific questions that aim to provide a factual description of key aspects of the legislation and policy framework for inclusive education in the country. The system information aims to accurately describe the relevant policy frameworks in countries.

Different types of questions are used to collect information that describes important system features – structures, mechanisms and processes – relating to governance, monitoring, quality assurance and collaboration. The descriptive information includes sources of original material and, where possible, is supported with quotes and citations from relevant policy documents and published work.

The descriptive information will be analysed to highlight parameters, or comparative factors, that indicate how countries are structured and/or working. This mapping will be used to inform country cluster groupings based on system structures and processes that countries have in common.

The descriptive information will also be used to prepare thematic cluster activities with Agency member countries. These activities will elaborate and collect even more detailed country information for the different priority areas from 2023 onwards.

Evaluative commentary

An important element of the questions is the evaluative, qualified and evidenced-based reflection on the factual information provided in sections 1 to 6.

The evaluative commentaries aim to provide a qualified reflection on the implementation of the legislation and policy framework for inclusive education in practice. They provide observations on and interpretations of the system factors that impact positively or negatively on inclusive education.

The evaluative commentaries reflect on **where and why the practice of inclusive education differs from or actively supports the stated policy intentions and goals** in the system description.



For the evaluative commentaries linked to each section, the following general questions are posed:

- What have been the perceived main challenges (barriers and hindrances) for inclusive education? Why do they exist and what are the consequences?
- What have been the perceived opportunities (support and ways forward) for inclusive education? What areas for development are identified and how can they be successfully implemented?

In addition, specific topic-related questions are also suggested.

The analysis of the evaluative commentary information will take a grounded approach. It will aim to identify issues that emerge as barriers to or supporting factors for meeting the needs of all learners in inclusive systems.

This analysis will be used to inform future Agency activities with member countries regarding country-specific and common system challenges and opportunities.



SECTION 1. BACKGROUND TO THE INCLUSIVE EDUCATION SYSTEM

This section provides key background information in relation to inclusive education in the country.

1.1 Overview of the historical development of inclusive education

Scotland's journey to inclusive education for all learners has progressed since The Education (Mentally Handicapped Children) (Scotland) Act 1974, which declared every child was 'educable'. Children's rights and entitlements have and continue to be fundamental to Scotland's approach to inclusive education. This is supported by mainstreaming guidance which expects all children and young people to be present, participating, achieving and supported (the four pillars of inclusion). The Scottish Government vision for inclusive education states that:

Inclusive education in Scotland starts from the belief that education is a human right and the foundation for a more just society. An inclusive approach which recognises diversity and holds the ambition that all children and young people are enabled to achieve to their fullest potential and is the cornerstone to achieve equity and excellence in education for all of our children and young people ([Guidance on the presumption to provide education in a mainstream setting](#), p. 4)

The Scottish education legislative and policy framework is underpinned by a set of values aligned to social justice and commitment to inclusive education. Since the devolution of the Scottish Parliament in 1999, there has been significant activity in this area, placing duties, expectations and standards for local authorities, early learning centres (ELC), schools and staff to ensure that they:

- support improved outcomes and the delivery of excellence and equity for all s;
- support all learners to achieve to the best of their ability;
- deliver an inclusive education for all learners, which identifies, assesses and addresses barriers to learning and well-being through universal and targeted support. About 33% of ASN learners require targeted support ([Summary Statistics for Schools in Scotland 2021](#));
- do not discriminate against those with protected characteristics;
- provide a flexible curriculum which includes breadth, depth, progression, relevance, challenge, enjoyment, coherence, and personalisation and choice (Curriculum for Excellence);
- empower learners, parents and carers, teachers, practitioners and communities;
- meet their required professional standards.



The Standards in Scotland's Schools etc. Act (2000) adopted a rights based and child-centred approach to education, introducing the presumption of mainstreaming for all children and young people, irrespective of their level of need. They now have the right to be educated within mainstream education along with their peers, unless certain specified exceptions apply, and education authorities must have due regard to their views in decisions that affect them and that of the parents/carers. Local authorities, with their partners, have a duty under this Act to ensure that 'education is directed to the development of personality, talents and mental and physical abilities of the child or young person to their fullest potential.' This wording deliberately reflects Article 29 1(a) of the UNCRC. About 98% of Scotland's learners attend mainstream schools for over 80% of the time.

The Additional Support for Learning (Scotland) Act 2004 (as amended 2009) was groundbreaking inclusive legislation. The Act provided a child-centred, and needs-based model, supported by guidance which encouraged a staged intervention approach to the identification of needs. The legislation is significant because it avoided the need to diagnose children's conditions (a within child deficit model), to one which identified needs. In this way, the legislation recognised that not all children with the same medical 'condition' had the same learning needs, resulting in more children being identified as having Additional Support Needs (ASN).

1.2 Legislation and policy definitions linked to key concepts within inclusive education systems

Inclusive education

Inclusive education in Scotland starts from the belief that education is a human right and the foundation for a more just society. An inclusive approach which recognises diversity and holds the ambition that all children and young people are enabled to achieve to their fullest potential is the cornerstone to achieve equity and excellence in education for all of our children and young people ([Guidance on the presumption to provide education in a mainstream setting](#), p. 4).

Source: *Legislative Definitions country report*, p. 7.

'How good is our school?' – HGIOS? 4 – Is Scotland's national self-evaluation framework and provides a suite of quality indicators that support staff in all sectors to look inwards, to scrutinise their work and evaluate what is working well for learners and what could be better. This framework highlights the importance of meeting the needs of all learners, partnership working, collaboration, and personalisation and choice within the curriculum. All 15 quality indicators are underpinned by inclusion.

Inclusion means taking positive action and intervening in order to enable achievement for all by building and fulfilling the potential of every child, young person and adult ([How good is our school?](#), 2015, p. 59).



In December 2015 the OECD report on Improving School in Scotland highlighted that Scottish schools are inclusive. It noted Scottish schools are highly inclusive as shown through an international index of social inclusion of the degree to which students of different socio-economic backgrounds attend the same school ([Country Policy Review and Analysis \(CPRA\) – UK Scotland](#), p. 4).

Special needs education

This term was replaced in Scotland in 2004 with ‘Additional Support Needs (ASN)’.

Definition for ASN

‘Additional Support Needs’ is the standard terminology used in Scotland when children and young people need more – or different – support to that which is usually provided in schools or pre-schools to children of the same age.

Additional support is a broad and inclusive term which applies to children or young people who, for whatever reason, require additional support, long or short term, in order to help them make the most of their school education and to be included fully in their learning.

...which is additional to, or otherwise different from, the provision that is generally provided to their peers in order to help them benefit from school education, Section 1(3) of the 2004 Act was amended by the 2009 Act to ensure that additional support is not limited to educational support, but can include multi-agency support from health, social services and voluntary agencies, for example ([Additional support for learning: statutory guidance 2017](#), s1(3), p 19).

In summary, ‘special needs education’ is not a term which is used in Scotland. Instead, it is described as a child as requiring additional support to meet their identified needs. Needs would be described in detail and a statutory plan would set out how these should be met.

Learners vulnerable to exclusion from inclusive education

Scottish education is designed to be inclusive for all learners. The following four factors may result in a child or young person having additional support needs:

- Learning environment
- Family circumstances
- Disability or health needs
- Social and emotional factors.

The four factors could lead to barriers which potentially make a child or young person vulnerable to exclusion from inclusive education depending on their individual circumstances. The factors which may give rise to additional support needs are wide and varied because they relate to the well-being and circumstances of individual children and the learning environment they encounter. An individual may have additional support needs arising from more than one of the factors outlined above ([Additional support for Learning: statutory guidance 2017](#), s1(3), p 19, pp. 22–24).



The four factors are interconnected, and some vulnerable groups of learners are more at risk of exclusion from an inclusive education than others, this includes:

- Learners who are disabled, e.g. who have a physical, intellectual or hidden (neurodevelopmental) disability, may experience barriers to accessing the totality of an inclusive curriculum. The building, curriculum and all communication must be accessible. Guidance is available to local authorities and establishments through the Disability Strategies and Pupils' Educational Records (2002) Act. ([Planning improvements for disabled pupils' access to education: Guidance for education authorities, independent and grant-aided schools](#)).
- Disadvantaged learners, immigrants and asylum seekers, ethnic minorities and those at risk of poverty and social exclusion, and the list specified in 1.4b.

Formal exclusions

In a 2018 report by three national charities on the experiences of autistic children missing school, the Scottish Government's statistics on school exclusions and attendance show that the exclusion rate for learners with additional support needs is almost five times higher than for those without additional support needs.

[Not included, not engaged, not involved report](#)

8,323 cases of exclusion in the 2020/21 school year – down 6,667 from 2018/19.

Cases of exclusion have fallen from 40 cases per 1,000 learners in 2010/11 to 11.9 cases per 1,000 learners in 2020/21.

[Summary Statistics for Schools in Scotland 2021](#)

[Included, Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusions](#)

[Included, Engaged and Involved Part 1: A Positive Approach to the Promotion and Management of Attendance in Scottish Schools](#)

Legislative Definitions country report, p. 5.

The ASL (Scotland) Act provides a broad description of anything that may be a barrier to a child's learning. That barrier may give rise to additional support needs (ICT4I, p. 1).

Other education policies, such as '[Happy, Safe and Achieving their Potential](#)' and '[Getting it Right for Every Child](#)' also take a broad view of inclusion that is consistent with the UK Government's Equality Act (Teacher Education for Inclusion [country report](#): UK (Scotland), p. 1).

Within the Implementation of The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended):

Review of the Additional Support for Learning Act: Adding Benefits for Learners – a report by HMIE to Scottish Ministers, November 2010



Reports to Parliament provide data on all learners with additional support needs. Implementation of The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended):

[Reports to Parliament 2012](#)

[Report to Parliament 2013](#)

[Report to Parliament 2014](#)

[Report to Parliament 2016](#)

Since August 2015, the Attainment Challenge has seen the government have a clear emphasis on tackling inequality and the attainment gap, and raising the attainment of children and young people living in deprived areas: [Pupil attainment: closing the gap](#)

The revised Child Poverty Strategy for Scotland, published in March 2014, outlines the progress made, and that is committed to make, in key areas such as childcare, education and youth employment.

Education Scotland has published the [Scottish Attainment Challenge \(SAC\) Recovery and Progress report for 2021–22](#), which gives an overview of what is happening across Scotland to raise attainment and reduce educational inequity.

Education (Scotland) Act 2016 includes provisions for strategic planning to consider socio-economic barriers to learning ([CPRA – UK Scotland](#), pp. 7–8).

Learners with special educational needs

This term was replaced in Scotland in 2004 with ‘Additional Support Needs (ASN)’

A child or young person has additional support needs if they are, or are likely to be, unable to benefit from the early years and school education provided or to be provided for them without the provision of additional support.

...which is additional to, or otherwise different from, the provision that is generally provided to their peers in order to help them benefit from school education. Section 1(3) of the 2004 Act was amended by the 2009 Act to ensure that additional support is not limited to educational support, but can include multi-agency support from health, social services and voluntary agencies, for example ([Additional support for learning: statutory guidance 2017](#), s1(3) p. 19).

This is not an exhaustive list, but rather examples of learners who may be considered as having an additional support need. The legal definition includes any young person who experiences barriers to learning.

- Have motor or sensory impairments
- Have low birth weight
- Are being bullied
- Are children of parents in the Armed Forces
- Are particularly able or talented



- Have experienced a bereavement
- Are affected by imprisonment of a family member
- Are interrupted learners
- Have a learning disability
- Have barriers to learning as a result of a health need, such as fetal alcohol spectrum disorder.
- Are looked after by a local authority or who have been adopted
- Have a learning difficulty, such as dyslexia
- Are living with parents who are abusing substances
- Are living with parents who have mental health problems
- Have English as an additional language
- Are not attending school regularly
- Have emotional or social difficulties
- Are on the child protection register
- Are refugees
- Are young carers.

Sources: [Additional support for learning: statutory guidance 2017](#); Legislative Definitions country report, p. 3

Under the Education (Additional Support for Learning Act) (Scotland) Act 2004 (as amended), the Act presumes that all looked-after children have additional support needs, unless the education authority determine that they do not require additional support to enable them to benefit from school education ([Additional support for learning: statutory guidance 2017](#), s 8, p. 29).

The [Equality Duty Act 2010](#) brings together and extends the existing UK equality legislation. The Act introduced protected characteristics, for example a person's disability, race, ethnicity, religion and sexual orientation for which discrimination is unlawful. The Act places specific duties on public bodies including schools and individuals to prevent discrimination, harassment and victimisation. In relation to schools this includes, for example, making reasonable adjustments to the school environment, teaching methods, assessment procedures and school trips to ensure that learners with protected characteristics (or learners associated with others who have these protected characteristics) are not discriminated against.

A learner may be entitled to support from both the Equality Duty Act (2010) and the Additional Support for Learning Act (2009 as amended); an example of an overlap between disability and ASN. Physical or Mental impairment includes:

- Autism Spectrum Disorder
- Dyslexia



- Diabetes
- Eating disorder (diagnosed)
- Gross obesity
- Disfigurement
- ADHD
- Incontinence
- Epilepsy
- Learning difficulties, including severe and complex
- Hearing impairment
- Some conditions may progress to have a substantial adverse effect: heart conditions, Sickle cell anaemia, Rheumatoid arthritis.

Learners' needs which automatically meet the definition of disability under the Equality Act and to whom education accessibility strategies apply:

- Cancer, HIV, Multiple Sclerosis
- Certified/Registered Visual Impairment
- Severe long-term disfigurement.

[Planning improvements for disabled pupils' access to education: Guidance for education authorities, independent and grant-aided schools](#)

Appendix A – Overlap between Equality Act and the Additional Support for Learning Act, p. 45.

Learners needs which meet the definition of disability under the 2010 Equality Act are also entitled to access and inclusive education through education accessibility strategies.

Disability Strategies and Pupils' Educational Records (2002) Act.

[Planning improvements for disabled pupils' access to education: Guidance for education authorities, independent and grant-aided schools](#)

[Guidance on the presumption to mainstreaming](#)

[Included, Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusions](#)

[Included, Engaged and Involved Part 1: A Positive Approach to the Promotion and Management of Attendance in Scottish Schools](#)

Other(s)

Additional support for learning

Additional Support for Learning legislation and practice moved Scotland from considering difficulties as lying within the child towards taking account of the barriers to learning a child or young person can encounter or have. Barriers to learning can arise from the



learning environment, health and disability, social and emotional factors and family circumstances. This legislation extends children's rights within a legal framework linked to planning across agencies. This legislation was passed in 2004 and amended in 2009. It has included an annual report to the Scottish Parliament by Ministers which includes identification of the numbers of children and young people with additional support needs in each of the 32 education authorities in Scotland. This report also provides information on outcomes for young people in terms of qualifications gained and levels of positive destinations for those young people when they have left school ([CPRA – UK Scotland](#), p. 3).

In 2020, an independent review of the implementation of the additional support for learning legislation in Scotland by Angela Morgan, (commonly referred to as the Morgan Review) highlighted that 30.1% of children and young people had been identified as requiring additional support to benefit fully from school education.

[Review of additional support for learning implementation: report](#)

The 2021 census data for ASN highlighted that 33.1% of children and young people had been identified as requiring additional support to benefit fully from school education.

[Summary Statistics for Schools in Scotland 2021](#)

1.3 Individuals or groups of learners vulnerable to exclusion from inclusive education focused on in the report

Scottish education is designed to be inclusive for **all** learners, therefore any child or young person who experiences the four interconnecting factors which give rise to additional support needs can potentially be vulnerable to exclusion from inclusive education depending on their individual circumstances. The Scottish legislative and policy framework is clear that, if required, children and young people are entitled to additional support and adjustments in the design, planning, implementation and support of their curriculum. Local authorities have a duty to ensure their early years settings, and schools ensure all children and young people have the same opportunities to experience an inclusive education. Some vulnerable groups of learners may be at a higher risk of exclusion to an inclusive education, and this can impact negatively on well-being. These include:

Children and young people affected by poverty

The highest percentage of children and young people with additional support needs in mainstream and in special schools are in deciles 1 (14.8%) and 2 (13.2%), this consistently decreases to decile 10 (highest levels of affluence).

[Pupil census: supplementary statistics](#)

The six categories of families who are more at risk of poverty include families where a child or an adult has a disability ([Tackling child poverty priority families overview](#)).

The Scottish Government established the Strategic Equity Funding (SEF) which is provided through the £1 billion Attainment Scotland Fund to support education recovery and tackle the poverty-related attainment gap. All 32 local authority areas will have a clear role to



play and will share £43 million annually to invest in approaches to achieving the mission of the Scottish Attainment Challenge.

[Pupil attainment: closing the gap – Schools](#)

Children and young people who are disabled

Those who have physical, intellectual or hidden (neurodevelopmental) disabilities may experience barriers in accessing their:

- learning environment – for example, buildings, classrooms, playgrounds, social settings, trips and excursions;
- curriculum – for example, learning and teaching resources if they have a print disability. It is important that appropriate learning and teaching resources are in formats that are accessible;
- communication in appropriate formats – for example, augmented communication aids, information, bulletins, timetables and websites.

There may be a negative impact on their well-being.

The six categories of families who are more at risk of poverty include families where a child or an adult has a disability ([Tackling child poverty priority families overview](#)).

Care-experienced learners

Looked after children and young people, and those previously looked after, may not experience the same access to an inclusive Curriculum for Excellence and may also experience a negative impact on their well-being.

Children and adults with experience of care have experienced stigma and are often discriminated against. Stigma and discrimination are the result of the mental models we all carry about all sorts of issues, people, and experiences. For care experience this can be devastating, it leads to injustice and poor health for individuals and has a toxic effect on how care and the need for care is seen by society ([CELCIS](#)).

The publication of [Educational Outcomes for Looked After children 2019–20](#) statistics on 15 June 2021 showed that the education outcomes for care experienced children have improved; however, there are still large gaps in attainment compared to the total population of learners in Scotland. Insights provided by CELCIS and [Who Cares? Scotland](#) show that the COVID-19 pandemic is likely to have exacerbated the needs of many, including those leaving care.

The statistics on young people entering the Secure Care and Youth Justice systems affirm this, highlighting that '51% of young people in secure care accommodation had at least one disability', (defined as 'a mental or physical impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities').

[Children's social work statistics 2017–2018](#)



Interrupted learners

These may not experience the same access to Curriculum for Excellence and may also experience a negative impact on their well-being. This include learners who are:

- not attending school due to acute ill health, who can experience gaps in their learning and reduced social contact with their peers;
- from families who are highly mobile, who can experience gaps in their learning, difficulties with curriculum changes and course choices through increased transitions between education systems when moving into or around Scotland, for example, those whose parents are in the Armed Forces and children and young people from the gypsy travelling community.

Young carers

Research suggests that around 7% of young people in Scotland have caring responsibilities. It is likely that this is an underestimate as not all young carers will recognise themselves as a young carer or identify as one. Young carers are those who provide help or support to family members, friends, neighbours or others because of either long-term physical or mental ill health, disability or problems related to old age.

Legally, a young carer in Scotland is recognised as a carer who is either:

- 18 and still at school
- under 18, regardless of education status.

The Scottish Government estimates that there are around 29,000 young carers in Scotland.

The research shows that being a young carer tends to be associated with poorer health and well-being, and suggests that young carers may face challenges in participating in social activities and may feel isolated as a result. Caring may also adversely affect some young carers' education, particularly in terms of attendance, tiredness levels and concentration, and even bullying. Young carers can face challenges in balancing their caring responsibilities with education and employment requirements and opportunities.

[Young carers: review of research and data – Executive Summary](#)

1.4 Development of thinking around learners vulnerable to exclusion from inclusive education

Scottish education has evolved to be rights-based and child-centred, placing them at the heart of education. Since 1974, a transformational change in Scotland has been taking place which is cognisant of a range of factors which can influence a child or young person's educational experiences and lifelong opportunities.

The Scottish curriculum has been designed to be inclusive for all learners irrespective of an identified need, therefore any child or young person who experiences the four factors that



give rise to additional support needs (listed below) can potentially be vulnerable to exclusion from inclusive education depending on their individual circumstances:

- Learning environment
- Family circumstances
- Disability or health needs
- Social and emotional factors.

The factors which may give rise to additional support needs are wide and varied because they relate to the well-being and circumstances of individual children and the learning environment they encounter. An individual may have additional support needs arising from more than one of the factors outlined above [Additional support for learning: statutory guidance 2017](#): s1(3) p 19, pp. 22–24).

The transformational journey has been supported and influenced by:

- the inclusive legislative and policy framework – founded on the UNCRC;
- children and young people sharing that they want to be included in their schools and communities – they feel it is important that those working in schools are aware of additional support needs and sensitive to their individual needs;
- an increased understanding of:
 - Childhood development
 - Rights and participation
 - Relationships
 - Well-being and care
 - Inclusion and universal support
 - Support for all learners
 - Trauma-informed practice
- national drivers:
 - The development and introduction of Scotland’s inclusive curriculum ‘[Curriculum for Excellence](#)’ (CfE) in 2002
 - [National Improvement Framework](#)
 - [Scottish Attainment Challenge](#) to reduce the poverty-driven attainment gap
 - Self-evaluation Framework and [Inspection process](#), which provide support and challenges for improving inclusive education
 - Professional Standards, for example the [General Teaching Council for Scotland](#) (GTCS), [Scottish Social Services Council](#) (SSC) and [Community Learning and Development](#) (CLD).

Despite the inclusive Scottish educational context, data consistently highlight that the vulnerable groups of children and young people discussed in section 1.3 do not all experience the same achievements and attainment as their peers who do not require



additional support. They are, therefore, at more risk of exclusion to inclusive educational experience.

Having an additional support need also increases the likelihood of formal exclusion from school, which impacts on the learner's participation in inclusive education. The rate of exclusion for learners with an additional support need was 25.5 exclusions per 1,000 learners in 2020/21, almost five times the rate for learners without an additional support need (5.3 exclusions per 1,000 learners) ([Summary Statistics for Schools in Scotland 2021](#), p. 35).

Evidence from the 2020 independent review of the implementation of the additional support for learning legislation in Scotland by Angela Morgan (commonly referred to as the Morgan Review) supports this, and reports on the exclusion children and young people feel within a system which is intended to be inclusive for all learners.

'Currently, far too many children and young people report feeling isolated, lonely, rejected, sometimes actively disliked or uncared for' ([Review of additional support for learning implementation: report](#), p. 23).

The additional support for learning action plan:

In 2020, an independent review of the implementation of the additional support for learning legislation in Scotland by Angela Morgan (commonly referred to as the Morgan Review) highlighted that groups of vulnerable learners who experienced exclusion from inclusive education and the co-occurrence of need.

1.5 Future education system developments that may impact positively or negatively on inclusive education

Scottish education continues to evolve, reflect and improve and is currently engaging in a reform of the system. The recommendations from the 2020 review [Support for Learning: All our Children and All their Potential](#), the 2021 OECD review [Scotland's Curriculum and the future](#) and subsequent 2022 report by Professor Ken Muir, [Putting Learners at the Centre: Towards a Future Vision for Scottish Education](#), have played a critical part in the reform agenda. Curriculum for Excellence is still recognised – both here and around the world – as the right foundation for Scottish education: the report acknowledges that the CfE is 'here to stay'. However, there is awareness that the education landscape has changed beyond recognition, as has the world around us. The coronavirus (COVID-19) pandemic in particular has shone a spotlight on many of the strengths and weaknesses in the current education system.

The Scottish Government accepted the recommendations in [Professor Ken Muir's report](#) as a starting point for education reform. This included the creation of three new national education bodies:

- A new qualifications body
- A new national agency for Scottish education
- An independent inspectorate body.



These will replace the Scottish Qualifications Authority (SQA) and Education Scotland. Building on the successes within Scottish education, these bodies will reflect the culture and values to be embedded throughout the education and skills system. Future developments will be co-created with stakeholders; the voices and participation of children and young people during this process is central.

This will be a multi-phase programme of reform covering discovery, design and delivery and transition activity, with the new national bodies going live from 2024.

Inclusive education in Scotland is an entitlement for all learners and the education reform will not reduce this entitlement. The reform provides an opportunity through the national discussion to ensure the diversity and needs of all children and young people are the cornerstone of the future design and implementation of the improved 3–18 years inclusive education system. A range of inclusive and accessible opportunities has been developed for all children and young people to participate in the national debate. For example, the national live webinar sessions are all accompanied with British Sign Language and symbolised resources can be downloaded to support children with complex needs to participate and share their views on what they feel the future education should be.

[Resources to support the Refreshed Curriculum for Excellence Narrative](#)

‘Exploring the Four Capacities’ is a thought paper commissioned by Education Scotland and compiles the views of over 150 educators and over 600 learners from across Scotland’s education system. It offers insights to help inform the on-going National discussion on education and aims to stimulate the exploration of the four capacities, inclusive curriculum rationale and design.

[Education Scotland – NoTosh – Exploring the Four Capacities, 5 September 2022](#)

Evaluative commentary

This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of developments towards inclusive education. It specifically considers political decisions that have impacted (positively or negatively) upon the vision for and implementation of inclusive education in the country. It also considers how changes in thinking around learners who are vulnerable to exclusion from inclusive education have impacted upon policy and practice.

Opportunities

Children and young people have been consistent in their feedback on what makes a difference to them through a range of networks, participatory events and consultations. Schools, local authorities and national bodies have opportunities to facilitate and support this feedback and incorporate it into policy development that will improve inclusive education. Some examples are below:

[‘Ask Us, Hear Us, Include Us’, A film by the Young Ambassadors for Inclusion – Self-evaluation](#)

[Children in Scotland](#)



[How good is OUR school? Self-evaluation](#)

Scottish education continues to evolve, reflect and improve on inclusive education for all learners and is currently engaging in a reform of the system. This could be a positive opportunity to ensure the needs of all learners are taken into account. The recommendations from the 2020 review [Support for Learning: All our Children and All their Potential](#), the [2021 OECD review 'Scotland's Curriculum and the future'](#) and subsequent 2022 Professor Ken Muir report '[Putting Learners at the Centre: Towards a Future Vision for Scottish Education](#)' have played a critical part in the reform agenda. Curriculum for Excellence is still recognised – both here and around the world – as the right foundation for Scottish education: the report acknowledges that the CfE is 'here to stay'. However, there is awareness that the education landscape has changed beyond recognition, as has the world around us. The coronavirus (COVID-19) pandemic in particular has shone a spotlight on many of the strengths and weaknesses in the current education system.

The Scottish Government accepted the [recommendations in Professor Ken Muir's report](#) as a starting point for education reform. This included the creation of three new national education bodies

- A new qualifications body
- A new national agency for Scottish education
- An independent inspectorate body.

These will replace the Scottish Qualifications Authority (SQA) and Education Scotland. Building on the successes within Scottish education, these bodies will reflect the culture and values to be embedded throughout the inclusive education and skills system. Future developments will be co-created with stakeholders. The voices and participation of children and young people during this process is central.

The change process is a multi-phase programme of reform, covering discovery, design and delivery and transition activity, with the new national bodies going live from 2024.

[Resources to support the Refreshed Curriculum for Excellence Narrative](#)

The Education reform provides an opportunity to ensure that all stakeholders are able to engage and help co-design a system, curriculum and ethos which will be inclusive for all learners, irrespective of their level of need.

In addressing the recommendations made by the OECD in relation to the Curriculum for Excellence, Education Scotland produced a thought paper 'Exploring the Four Capacities'. The capacities are a core aspect of the Curriculum for Excellence and outline the desired goals children and young people to achieve (p. 9). The paper compiles the views of over 150 educators and over 600 learners from across Scotland's education system. It offers insights to help inform the on-going national discussion on education and aims to stimulate the exploration of the four capacities, inclusive curriculum rationale and design.

[Education Scotland – NoTosh – Exploring the Four Capacities, 5 September 2022](#)



Consequences

The causal factors which have contributed to the challenges experienced by children, young people, families and professionals due to gaps between policy and practice are multiple and complex. A successful implementation of the inclusive legislative and policy framework in Scotland has been a rights-based, learner-centred approach requiring all stakeholder groups to understand what meaningful inclusion means for them in their context.

National support and professional learning opportunities to improve practice have been freely available for staff, establishments and local authorities to participate in and use. However, for some, the barriers to improvement can be the volume of materials and professional learning opportunities, which can feel overwhelming. The time to participate and reflect on practice links to the volume of materials and resources available. To help support educators engage in inclusive learning opportunities, there is a national drive led by the Scottish Government and supported by Education Scotland to encourage collaboration between groups of local education authorities and reduce duplication through the work of the Regional Improvement Collaboratives. While there is genuine scope for sharing good practice and building capacity to support inclusion, well-being and equalities, not all Regional Improvement Collaboratives have inclusion as an explicit priority. This may be because the local education authorities have the legislative duty to provide 'adequate' education, but the clusters of Education Authorities (the Regional Improvement Collaboratives) do not.

[Regional Improvement Collaboratives: What are they?](#)

[Supporting Regional Improvement: What we do – Education Scotland](#)

Scottish education is not a prescriptive, top-down model decided and directed by the Scottish Government. Pedagogical approaches and allocation of support is devolved to each of the 32 Scottish local authorities which prioritise funding and allocate budgets. Although this democratic and empowering approach does support innovative and good practice, it can also result in a variation of experiences and approaches for all involved and can rely on individuals driving change, rather than a transparent equitable approach across all local authorities.

...evidence that emerges from this Review affirms that ASL is not visible or equally valued within Scotland's Education system. Consequently, the implementation of ASL legislation is over-dependent on committed individuals, is fragmented, inconsistent and is not ensuring that all children and young people who need additional support are being supported to flourish and fulfil their potential ([Review of additional support for learning implementation: report](#), p. 63).

Overdependence on strong individual leaders, if other key conditions are not robustly in place, will always create a risk when those leaders move on (*ibid.*, p. 36).

The Additional Support for Learning Act 2004 (2009 as amended) was a ground-breaking moment for Scottish education. It created a seismic shift towards a 'needs-led' approach



where support was no longer the sole responsibility of specialised staff or teams but instead became the responsibility of all teachers. However, it is clear that the implementation of policy into practice has been challenging. Some examples of the challenges are outlined below:

- The use of specialised support staff and teams to disseminate the guidance and information about the Act when it passed in 2004 perpetuated the misunderstanding that this knowledge and practice continued to be their responsibility and not that of **all** teachers.
- ASL/inclusion support teams/teachers within schools and establishments are often perceived to be separate from mainstream teachers and curriculum/subject teachers and teams. This perpetuates the practice that additional support is an area on the peripheries of education, and is not sufficiently integrated across and within the curriculum.
- A lack of access to appropriate career-long professional learning, where inclusion, well-being and equalities are embedded in the mainstream offer and not perceived as separate. The current review of Curriculum for Excellence and Assessment may help to break down these false dichotomies, and genuinely create a curriculum and assessment strategy for all.
- Ensuring that promoted staff who are leading on inclusion have the appropriate knowledge and understanding.
- Evidence from the Morgan review showed that despite the GTCS professional vision, values and standards on social justice, 'not all individual professionals are signed up to the principles of inclusion and the presumption of mainstreaming' ([Review of additional support for learning implementation: report](#), p 40).

The national discussion and education reform provide an exciting opportunity to collaborate meaningfully with all stakeholders and co-create an inclusive education system for all children and young people. An inclusive education system which reflects the changing world and one which values all a child and young person can achieve. This will require radical changes to how children and young people are assessed so that there is genuine parity and value across attainment and achievement.



SECTION 2. THE EDUCATION SYSTEM

This section provides information on the structures and features of the whole education system that influence the development and implementation of inclusive education in the country.

2.1 Overview of the education system

Scotland has 2,005 local authority primary schools, 357 secondary schools and 114 special schools. Approximately 1% of learners attend local authority special schools (see [EASIE country data](#)). Some mainstream schools have integrated special units for learners who require additional support in a more specialised setting. The provision of a special unit can facilitate opportunities for learners with additional support needs to also work within the mainstream, contributing to the child's level of mainstreaming and mental, social and emotional well-being, including relationships with peers.

In addition, there are seven grant-aided schools in Scotland that are independent of local authorities but are supported financially by the Scottish Government. These schools provide education for learners with more complex additional support needs. The grant-aided schools were reviewed as part of the report on national provision for children and young people with more complex additional support needs (European Agency, [Country information](#)).

The Scottish Government includes a Cabinet Secretary (Cabinet Minister) for Education and Skills and a [Minister for Higher Education and Further Education, Youth Employment and Training](#). In the civil service, there is a Director General of Education and Justice, and a Deputy Director for Learning ([Learning Directorate](#)).

The Scottish Government is responsible for developing national policy and, where necessary, developing appropriate legislation to support delivery of the policy. In terms of additional support for learning, this is the role of the Support and Well-being Unit in the Scottish Government Learning Directorate.

The Education (Scotland) Act 1980 states that school education 'means progressive education appropriate to the requirements of pupils, regard being had to the age, ability and aptitude of such pupils'. The Standards in Scotland's Schools etc. Act (2000) states that education 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'. Section 15 of the Act includes a 'presumption of mainstream education' and the right of parents to have their children educated in mainstream settings. Education authorities (EAs) should provide education to school-aged children within mainstream settings, unless certain exceptions apply.

The 2004 Act requires that EAs:

- identify and assess children and young people with additional support needs;



- provide the additional support required for each child or young person with additional support needs for whose education they are responsible, subject to certain exceptions;
- review the additional support needs identified and the adequacy of support provided to meet the needs of each child or young person;
- prepare a co-ordinated support plan for those children or young people who meet certain criteria and keep this plan under regular review.

Eas have to publish information about specified matters relating to additional support needs, including their policies in relation to provision for such needs.

The Education (Disability Strategies and Pupils' Educational Records) Act 2002 requires Eas to have an accessibility strategy. The strategy covers a three-year period and sets out how the authority will improve:

- access to the curriculum for learners with disabilities;
- physical access for learners with disabilities;
- information normally provided in writing for learners with disabilities.

Eas have to provide 600 hours of free, part-time, pre-primary education per year to every child aged 3 and 4. If a pre-primary child has additional support needs, the EA must provide reasonable support to meet the child's needs. This applies if the child attends a local authority or partnership nursery, but not a private nursery.

The Equality Act 2010 places a duty on schools and Eas not to discriminate against learners with protected characteristics including disabilities, sexual orientation and ethnicity. This includes admission to school, the way education is provided, access to a benefit, facility or service, and exclusion. They must not treat learners with disabilities less favourably and must take reasonable steps to avoid putting these learners at a substantial disadvantage. The duty related to aids and services means that, since September 2012, schools (including independent schools) have to make reasonable adjustments.

The [Children and Young People \(Scotland\) Act 2014](#) made provision for Scottish ministers to promote public awareness and understanding of children's rights. It includes legislation on the role of a named person to co-ordinate a learner's support services and conditions about provision of their plan. The legislation enacts elements of the Getting it Right for Every Child (GIRFEC) practice model. The GIRFEC approach helps practitioners to focus on what makes a positive difference for children and young people – and how they can act to deliver these improvements. GIRFEC is being threaded through all existing policy, practice, strategy and legislation affecting children, young people and their families. The GIRFEC policy and practice guidance is currently being refreshed, seeking to further align and clarify the relationship between GIRFEC and other supporting legislation and policy.

The Education (Scotland) Act 2016 received Royal Assent in March 2016. The Act is a multi-purpose piece of legislation with a mix of measures covering education in Scotland. The Act introduced measures to improve Scottish education, including:

- improving the attainment of learners from lower socio-economic backgrounds;
- widening access to Gaelic-medium education;



- extending the rights of learners with additional support needs.

The Act amends the Education (Additional Support for Learning) (Scotland) Act 2004, the Standards in Scotland's Schools etc. Act (2000), the Education (Scotland) Act 1980 and the Welfare Reform Act 2007. The Act introduced the National Improvement Framework.

In relation to learners with additional support needs, the Act contains provisions that change the Education (Additional Support for Learning) (Scotland) Act 2004. These changes enable learners themselves to use certain rights available under the Act, if they are 12 years of age or over and have the capacity to do so. This goes beyond the suggested extension by the 2008 Concluding Observations from the United Nations Committee on the Rights of the Child, of rights for children with special educational needs to the tribunals process. These rights were enacted in January 2018 ([Legislation Updates 2017](#), pp. 30–31).

To further strengthen children's rights in Scotland, the Scottish Government has committed to incorporating the United Nations Convention on the Rights of the Child into Scottish law. A [Bill to incorporate the Convention](#) has been introduced in parliament. The Bill aims to ensure that there is a proactive culture of everyday accountability for children's rights across public services in Scotland. This will mean that children, young people and their families will experience public bodies consistently acting to uphold the rights of all children in Scotland. The intention is that the Bill will result in the highest possible protection for children's rights (European Agency, [Country information](#)).

2.2 Specific features that are present within the education system

Early tracking of learners into a particular educational pathway (i.e. streaming learners by abilities into different types of provision or school; this includes placing children into separate schools)

Not present.

Scotland does not 'stream' children and young people by ability to determine the educational provision provided for them. However, individual needs are identified and from this, appropriate learning and teaching support is identified to meet those needs. Early tracking of learners into a particular pathway is contrary to policy and legislation., but early identification means learners are supported, and there is personalisation and choice within the National Curriculum, to support children and young people in mainstream, a combination of mainstream and specialised provision, or full time in special schools or units.

The legislative framework and policy is described below.

Supporting Children's Learning Code of Practice, the statutory guidance which accompanies the Act, explains that there is a range of factors that may give rise to a child's additional support needs. These include the learning environment that the child encounters, social and emotional factors, health and disability, and the child's family circumstances. Inclusion in the above list does not mean that additional support is automatically necessary. Every child is seen as an individual, and what may affect one



child may not have an effect on another. Additional support needs may be short- or long-term (European Agency, Organisation of Provision, p. 4).

From Quality Improvement in Scottish Education (2012), the priorities were set as:

- identifying and tackling barriers to learning before they become entrenched;
- finding new ways to meet the needs of the increasingly diverse population of learners, including newcomers to Scotland for whom English is an additional language;
- personalising learning and support to take account of individual needs, choices and circumstances while relentlessly reinforcing high expectations.

In early learning centres, most children requiring additional support with their learning are identified early and a programme of staged intervention is put in place. Pre-primary unpromoted staff are being provided with support to improve assessment and the identification of need thereby building confidence in this sector. All pre-primary staff are required to have special qualifications in pre-primary pedagogy.

Primary schools are building their knowledge and skills of more effective support for vulnerable children and their families. Continued work in monitoring progress, particularly outside the classroom, is needed to provide a holistic assessment of progress. In secondary schools, improvements are still needed in the way teachers use information from learning support and pastoral care colleagues, and in communication at times of course choices. In independent schools serving children and young people with emotional and behavioural difficulties, individualised support is a relatively strong dimension of school effectiveness.

A strength in special schools is the increasing amount of opportunities for young people to have their achievements recognised, including through accreditation. Less successful is co-ordinating support for groups of learners, including those children and young people who are Looked After, young carers and those with mental health difficulties. Community Learning and Development has had a positive impact where family learning includes supporting children at home. This has demonstrated increased adult employability, reduced offending and enabling people to take a greater role in the development of their own community. The use of special schools as a resource to the mainstream sector is growing.

Colleges have developed their work in conjunction with other national initiatives, such as Skills for Scotland, 16+ Learning Choices and Curriculum for Excellence. Overall, there is still much to be done to close the gap in achievement in Scottish education.

All schools use a wide range of standardised and non-standardised assessment tools. The emphasis is on formative rather than summative assessment and uses curriculum-based approaches to inform learning targets. Children are encouraged to regulate their own learning to identify areas for improvement and next steps.

[What is assessment, and when and how does it take place? Assessment and achievement. Parent Zone](#)



Supporting Children's Learning Code of Practice

An education authority will draw up a co-ordinated support plan if they are responsible for the education of a child or young person who:

- needs support due to complex or multiple factors that adversely and significantly affect their school education;
- has needs that are likely to last for more than a year;
- needs significant additional support from the education authority and another department of the local authority (such as social work services) or another agency (such as a health board) – or both – to reach their educational objectives.

This is a statutory plan which co-ordinates and records the support to be provided. This plan has specific rights attached to it (European Agency, Organisation of Provision, p. 5).

'Double-shift' patterns to the school day (i.e. learners attend for either a morning or afternoon session)

Not present.

It is a legal requirement that all children and young people receive a fixed number of hours of education. This can be provided flexibly to meet the needs of individual children and young people and may include a split placement between mainstream and specialist provision.

Grade retention (i.e. holding learners back to repeat school years, instead of providing flexible support that enables learners to progress with their peers)

Not present.

Flexible support enables learners to progress with their peers.

Multiple languages of instruction

Gaelic is a growing sector of Scottish education. There is a welcome expansion of Gaelic in schools, more use of technology for delivering learning in and through Gaelic, enactment of new legislation and a better understanding of immersion ([Gaelic Language Plan 2022–2027](#)).

Specific policies on access to compulsory education in local schools (i.e. school selection policies)

Not present.

All of our schools are accessible to all learners. There is a fully comprehensive mainstream sector. Our special schools are accessed through the education authority and parental/children's rights to appeal.



2.3 Public and private authorities responsible for different types of provision

[Education Scotland](#) (ES) is the improvement agency set up by the Scottish Government designed to support and challenge the system. The agency currently incorporates His Highness' Inspectorate of Education: Within the Improvement arm of ES, there is an Inclusion, Well-being and Equality (IWE) team of officers working in a national and regional capacity across inclusion, well-being, additional support and equalities. Locally, education authorities will have a range of structures, processes and staff to support inclusive education.

Education Scotland IWE officers attend, facilitate and support a range of IWE national networks, which include stakeholders from the Scottish Government directorates, early learning and schools, local authorities, third sector, health, social services, children and young people and parental representation.

The Scottish Government Getting it Right for Every Child (GIRFEC) team supports a network of local authority link offices across education, health and social work as well as a network of independent and grant-aided schools to support the implementation of GIRFEC and the delivery of the Children and Young People's Act 2014, including sharing of knowledge and resources through the Public Service Knowledge Hub. A refresh of GIRFEC practice Guidance was published in 2022.

[Getting it right for every child \(GIRFEC\) Practice Guidance 1 – Using the National Practice Model](#)

There are a number of initiatives for promoting social and emotional well-being. These initiatives deal with well-being in the learning environment and enhancing school climate, some are wider and deal with inclusiveness in general or emotional literacy and pro-social behaviour, others focus on themes such as trauma-informed approaches, bullying or exclusion, some deal with a specific level of education (e.g. nurturing schools).

Creating a positive learning environment through positive relational approaches is seen as the responsibility for everyone within each community of learning, with interventions fostering the development of multiple skills.

Relevant programmes or activities include:

- Better Relationships, Better Learning, Better Behaviour 2013 (Scottish Government, 2013)
- Framework for Intervention/Staged Intervention with a wide range of supporting documents to support learners who require additional support.
- A national approach to anti-bullying
- A whole school approach to well-being support
- Nurture and trauma-informed approaches – supporting whole school improvement through a nurturing lens
- Restorative approaches: a framework to promote harmonious relationships and resolve conflict



- Glow: access to technologies for all learners taking account of differentiated learning opportunities and accessibility
- Rights and participation
- Inclusive practice and additional support needs
- Pupil support staff
- Professional learning framework.

[National Improvement Hub](#)

2.4 Levels of autonomy open to educational institutions – schools, local authorities, school maintainers, etc. – within the system

While the ASL (Scotland) Act provides a framework within which local authorities (who provide most education in Scotland) have duties, the authorities have a lot of scope to decide what is reasonable. Duties to make reasonable adjustments – such as auxiliary aids and services or accessibility strategies – have the potential to address these gaps, as ‘reasonable’ should relate to European Union case law on this area ([CPRA – UK Scotland](#), p. 10).

Devolved school management (DSM) is essentially where councils pass control of a large proportion of their education budgets (excluding salary costs to staff) to head teachers of secondary and primary schools or heads of early years establishments through detailed local DSM schemes which set out clear spending requirements ([CPRA – UK Scotland](#), p. 24).

[Improvement Service – Devolved school management guidelines](#)

National and international evidence-based research informs national and local policy and promotes effective practice in schools. At the local level, professional learning and support enable schools and practitioners to be more inclusive and equitable in their practice. This is achieved through capacity building, which focuses on developing teachers’ skills and knowledge to raise attainment and promote the well-being of all learners. The system is moving away from top-down, directly delivered, generic and centralised supports. It is moving towards supporting co-design and development of local policies, strategies, resources and professional learning.

Recent national policy changes in educational governance have the potential to directly affect ‘capacity’ at the school, local and regional levels to reduce or prevent school failure. These are outlined below.

The Education Bill Policy Ambition – Joint Agreement sets out agreed principles and measures to support and encourage the empowerment of schools in Scotland. The following four principles form the basis of system-wide improvement:

- A Head Teachers’ Charter where head teachers have more control over their curriculum, school improvement, staffing and how delegated funding is used
- Parental and community engagement



- Learner participation
- Regional Improvement Collaboratives.

So far, 13 recommendations have come out of the Thematic Inspection of Readiness for Empowerment for national, local and school-level development priorities. Another intended outcome of the Joint Agreement is the decentralisation of funding and decision-making. This should enable the system to be more responsive to local needs at school level ([Preventing School Failure](#), pp. 50–51).

The proposed Empowering Schools: A Consultation on the provisions of the Education (Scotland) Bill includes provisions to reform how schools are run and put schools in charge of key decisions about a learner's education. These reforms would enable the education system to give every child the best start in life and to close the poverty-related attainment gap.

The Bill aims to provide:

- more freedom to make choices about curriculum, improvement and funding at the school level;
- more freedom for head teachers to choose school staff and management structure;
- new Regional Improvement Collaboratives to provide streamlined and strengthened support for teachers, drawing on experts from local authorities and Education Scotland;
- strengthened engagement with young people and parents in schools;
- an Education Workforce Council to take on the responsibilities of the General Teaching Council for Scotland and the Community Learning and Development Standards Council and to register other education professionals ([Preventing School Failure](#), p. 51).

Schools will have the flexibility to provide a range of progression pathways appropriate to their learners' needs and local circumstances, and will have freedom to allow learners choice in how they demonstrate their success in learning. Curriculum for Excellence is a curriculum for all. It places emphasis on enabling all young people to maximise their potential. It is important to recognise the progress and achievements of all young people, including those with additional support needs, by planning for and recognising 'short steps' in learning. More in-depth assessment will be required to help determine success in these short steps.

Staff can ensure that assessment meets all learners' needs by providing each child and young person with the most appropriate support. In doing so, they will ensure that every learner has the best chance of success.

Barriers can arise from the learning environment, family circumstances, disability or health needs, and social or emotional factors. Where such circumstances arise, children and young people are entitled to have their additional support needs identified and addressed at the earliest possible stage. The staged level of intervention provides a solution-focused and flexible planning process through Universal and Targeted support. Planning mechanisms such as personal learning planning, individualised educational



programmes (IEPs) and co-ordinated support plans (CSPs) can help to ensure that each child or young person with additional support needs can achieve positive and sustained educational outcomes ([CPRA – UK Scotland](#), pp. 41–42).

2.5 General mechanisms for funding schools

Local authorities receive funding from the Scottish Government and from council tax. Each local authority then decides how much it needs to spend from its revenue on education. It has to ensure it meets its statutory duties.

Devolved school management (DSM) is essentially where councils pass control of a large proportion of their education budgets (excluding salary costs to staff) to head teachers of secondary and primary schools or heads of early years establishments through detailed local DSM schemes which set out clear spending requirements.

[Improvement Service – Devolved school management guidelines](#)

In 2000, some monies were given to authorities to support inclusive education. This funding has subsequently become part of the Grant Aided Expenditure (GAE) to local authorities.

The Scottish Government provides funding directly to local authorities for Education Funding is flexible towards education yet not directly with a focus on inclusive education. In 2015, education authorities spend was GBP 4.8 billion on education, of which GBP 579 million is spent on additional support for learning. This is reported as part of the report to parliament. Education authorities prioritise this spend in light of local priorities and circumstances, including across their range of provisions ([CPRA – UK Scotland](#), p. 24).

2.6 Specific mechanisms for funding the inclusion of learners vulnerable to exclusion from inclusive education

In Scotland, the local authorities receive funding from the Scottish Government and from council tax. Each local authority then decides how much it needs to spend from its revenue on education. It must ensure it meets its statutory duties.

In 2020/21, spending on additional support for learning by authorities increased to GBP 784 million (10.9% increase in cash terms, 4.6% in real terms from 2019/20). Eas prioritise this spending in light of local priorities and circumstances, including across their range of provisions (European Agency, [Country information](#)).

In August 2015, the First Minister announced additional resources to promote an Attainment Challenge and National Improvement Framework. This is directed at raising attainment for those living in the lowest 20% deprived areas in Scotland. The National Improvement Framework was further updated in January 2016 with further funding for the Attainment announced in February 2016 and 2022. The most recent iteration of the National Improvement Framework has different funding expectations, now including special schools. It has also strengthened the measurement and accountability requirements ([CPRA – UK Scotland](#), p. 4).



[Education – Achieving Excellence and Equity: National improvement framework and improvement plan 2022](#)

Local authorities receive funding from the Scottish Government and from council tax. Each local authority then decides how much it needs to spend from its revenue on education. It has to ensure it meets its statutory duties. The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended) places a duty on education authorities to make adequate and efficient provision of additional support as is required by each child or young person with additional support needs. To fulfil the duty under the Act, the education authority is not required to do anything beyond their powers or anything which would result in unreasonable public expenditure. Unreasonable public expenditure is not defined in the Act. However, cost is not expected to be the primary consideration when deciding on provision (European Agency, Organisation of Provision, pp. 2–3; [CPRA – UK Scotland](#), pp. 24–25).

The Education (Scotland) Act 2016 introduced the Attainment Scotland Fund, a targeted initiative focused on supporting learners in the local authorities of Scotland with the highest concentrations of deprivation. It also set out revised eligibility criteria for free school meals related to the Welfare Reform Act 2007 and the Children and Young People (Scotland) Act 2014. ([Legislation Updates 2017](#), pp. 30–31; European Agency, [Country information](#)).

[Pupil Equity Fund \(PEF\) – Scottish Attainment Challenge 2020–21: Equity in education](#)

Every year, local authorities publish their abstracts of accounts and parents are entitled to a copy. Parents can also see the reports and minutes of meetings detailing the breakdown of the education budget.

Evaluative commentary

This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of system features and structures for the implementation of inclusive education in practice. It specifically considers the impact of policy-making, structures and processes at national, regional, local and school levels on inclusive education practice.

Challenges

In 2019, the Cabinet Secretary for Education and Skills initiated an independent review of implementation of additional support for learning. The review began in October 2019 and reported to Scottish Ministers and the Convention of Scottish Local Authorities (COSLA) in February 2020. It considered a breadth of evidence and engaged with a range of individuals and groups, to inform its conclusions and recommendations. The [Additional support for learning review report](#) was published on 19 June 2020.

The review found that additional support for learning policy and legislation was effective. However, it made a number of recommendations across nine broad themes on how to enhance implementation of additional support for learning to improve outcomes and experiences for children and young people.



The independent review of the implementation of the additional support for learning legislation in Scotland by Angela Morgan (commonly referred to as the Morgan Review) reported ‘the very complex challenges of meaningful inclusion and meeting additional support needs are a work in progress in Scotland’ (Review of additional support for learning implementation: [report](#), p 11).

The Scottish Government, COSLA and the Association of Directors of Education in Scotland (ADES) accepted the recommendations made by the review. They published a joint response [action plan](#) on 21 October 2020, which set out a range of interlinked actions to address these recommendations. One of the actions will be to refresh the statutory Supporting Children’s Learning Code of Practice to ensure that it continues to fully support schools and local authorities to fulfil their duties under the Act.

The Additional Support for Learning Act 2004 (2009 as amended) was a ground-breaking moment for Scottish education. It created a seismic shift towards a ‘needs-led’ approach in which providing support would no longer be the responsibility of specialised staff or teams and instead become the responsibility of all teachers. However, it is clear that the implementation of policy into practice has not been effectively achieved for all learners. Some examples of challenges experienced by stakeholders at different levels within the system are:

- **National** – Silo working between government teams who were independently developing the Additional support for learning Act in 2004 and the Getting it right for every child approach (GIRFEC) created confusion. Explaining the interconnectivity and developing a shared or common language between the legislative statutory guidance of the Act and the policy approach for GIRFEC would have been a solution-focused approach to support local authorities to implement the Act more effectively.
- **Regional** – The 32 local authorities are all members of six Regional Improvement Collaboratives (RICs). Through their national remits, Education Scotland Inclusion Well-being and Equality (IWE) officers support improvement within the system by:
 - sharing good practice;
 - reducing duplication of work across 32 local authorities in the area of inclusion well-being and equalities;
 - supporting collaboration and reducing duplication with the aim of improving the outcomes and educational experiences for all children and young people.

It is a challenge that not all Regional Improvement Collaboratives have identified Inclusion within their improvement plans. Therefore, maximising and accessing support for inclusive education which would be available to all six of the RICs will be variable.

[Supporting Regional Improvement: What we do – Education Scotland](#)

- **Local authority and schools** – The use of specialised support staff and teams in schools and local authorities to disseminate the guidance and information about the additional Support for learning Act when it passed in 2004 perpetuated the



misunderstanding that this knowledge and practice continued to be their responsibility and not that of all teachers.

Inclusion is the cornerstone of Scottish education; however, practice at local authority level and school does not always reflect this. ASL/inclusion support teams within establishments and local authority teams are often perceived to be separate from curriculum subject areas or improvement teams, again perpetuating the practice that additional support is an area on the peripheries of education. Opportunities can be missed to share knowledge and experience from specialist staff which can support improvement across planning and policy implementation to support all learners through inclusive education.

There is a lack of access to appropriate career-long professional learning within which inclusion, well-being and equalities are embedded throughout the programmes and are not a standalone module or input. The Morgan review highlighted challenges at all levels of a teacher's career.

The report is concerned with access to professional learning for teachers. This theme is common among a number of sources of evidence with some requesting specific training related to specific additional support needs in both Initial Teacher Education and Career Long Professional Development ([Review of additional support for learning implementation: report](#), p. 114).

Ensuring that promoted staff who are leading on inclusion have the appropriate knowledge and understanding: evidence from the Morgan review showed that despite the GTCS professional vision, values and standards on social justice, 'not all individual professionals are signed up to the principles of inclusion and the presumption of mainstreaming' (ibid., p. 40).

Opportunities

The Scottish Government introduced the National Improvement Framework (NIF) in 2019 to:

ensure children and young people develop a broad range of skills and capacities, whilst supporting them to thrive, regardless of their social circumstances or additional needs ([National Improvement Framework](#)).

Inclusion underpins the 6 key drivers of improvement and will require ELC, schools, local authorities and Education Scotland to all integrate this into their planning and self-evaluations if the aims are to be achieved.

All local authorities are required to prepare and submit an annual NIF plan. The 2022 refresh included a focus not only on attainment but also the achievement of learners as recommended by the Angela Morgan Review. This provides an opportunity for local authorities to demonstrate the impact their policies and approaches are having on the inclusion of children and young people who require additional support.

The Scottish Government's response to the 2021 OECD review 'Scotland's Curriculum for Excellence Into the Future' and the 2021 Professor Ken Muir review 'Putting learners at the Centre: Towards a vision for Scottish Education' set in motion the education reform



and national conversation taking place in Scotland. This provides an exciting opportunity to collaborate meaningfully with all stakeholders and co-create an inclusive education system for children and young people. To develop a vision for the future of education in Scotland asking stakeholders, including children and young people, the question: What kind of education, skills, knowledge and support do stakeholders think young people will need 20 years from now?

Consequences

Scottish education is not a prescriptive, top-down model decided and directed by the Scottish Government. Pedagogical approaches and allocation of support is devolved to each of the 32 Scottish local authorities which prioritise funding and allocate budgets. Although this democratic and empowering approach does support innovative and good practice, it has resulted in a variation of experiences and approaches for all involved and has relied on individuals driving change, rather than a transparent equitable approach across all local authorities. If additional support for learning is not understood to be the responsibility of all, including every registered teacher in accordance with their professional standards and embedded into practice, Scotland's inclusive rights-based vision for all learners will not be achieved.

...evidence that emerges from this Review affirms that ASL is not visible or equally valued within Scotland's Education system. Consequently, the implementation of ASL legislation is over-dependent on committed individuals, is fragmented, inconsistent and is not ensuring that all children and young people who need additional support are being supported to flourish and fulfil their potential ([Review of additional support for learning implementation: report](#), p. 63).

Overdependence on strong individual leaders, if other key conditions are not robustly in place, will always create a risk when those leaders move on (ibid., p. 36).



SECTION 3. LEGISLATIVE AND POLICY FRAMEWORK

This section provides information on the overall framework of legislation and policy governing the whole of the education system in the country.

3.1 Is there a single legislation and policy framework covering all learners in all educational settings?

No.

3.1a Description of the single legislation and policy framework

Not applicable.

3.1b Overview of the general education legislation and policy framework guiding the whole system

No information.

3.1c Overview of the specific education legislation and policy framework impacting on the inclusion of learners who are vulnerable to exclusion from inclusive education

The United Kingdom's political system has a number of regional differences, with separate education legislation for England, Wales, Northern Ireland and Scotland. The devolved government for Scotland has a range of responsibilities which include health, education, justice and the environment. Some powers are reserved to the UK government, including immigration, the constitution, foreign policy and defence.

The Education (Scotland) Act 1980 states that school education 'means progressive education appropriate to the requirements of pupils, regard being had to the age, ability and aptitude of such pupils'. The Standards in Scotland's Schools etc. Act (2000) states that education 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'. Section 15 of the Act includes a 'presumption of mainstream education' and the right of parents to have their children educated in mainstream settings. Education authorities (Eas) should provide education to school-aged children within mainstream settings, unless certain exceptions apply.

The [Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#), as amended by the [Education \(Additional Support for Learning\) \(Scotland\) Act 2009](#), imposed certain duties on Scotland's education authorities (Eas) – the 32 local council areas responsible for the provision of statutory education in Scotland. This was to extend provisions on placing requests and to enable tribunal hearings to be heard in relation to transition planning. Plus, other technical amendments as a result of a legal judgement.

The 2004 Act requires that EAs:

- identify and assess children and young people with additional support needs;



- provide the additional support required for each child or young person with additional support needs for whose education they are responsible, subject to certain exceptions;
- review the additional support needs identified and the adequacy of support provided to meet the needs of each child or young person;
- prepare a co-ordinated support plan for those children or young people who meet certain criteria and keep this plan under regular review.

Eas have to publish information about specified matters relating to additional support needs, including their policies in relation to provision for such needs.

The Education (Disability Strategies and Pupils' Educational Records) Act 2002 requires Eas to have an accessibility strategy. The strategy covers a three-year period and sets out how the authority will improve:

- access to the curriculum for learners with disabilities;
- physical access for learners with disabilities;
- information normally provided in writing for learners with disabilities.

Eas have to provide 600 hours of free, part-time, pre-primary education per year to every child aged 3 and 4. If a pre-primary child has additional support needs, the EA must provide reasonable support to meet the child's needs. This applies if the child attends a local authority or partnership nursery, but not a private nursery.

The Equality Act 2010 places a duty on schools and Eas not to discriminate against learners with protected characteristics including disabilities, sexual orientation and ethnicity. This includes admission to school, the way education is provided, access to a benefit, facility or service, and exclusion. They must not treat learners with disabilities less favourably and must take reasonable steps to avoid putting these learners at a substantial disadvantage. The duty related to aids and services means that, since September 2012, schools (including independent schools) have to make reasonable adjustments.

The [Children and Young People \(Scotland\) Act 2014](#) made provision for Scottish ministers to promote public awareness and understanding of children's rights. It includes legislation on the role of a named person to co-ordinate a learner's support services and conditions about provision of their plan. The legislation enacts elements of the Getting it right for every child (GIRFEC) practice model. The GIRFEC approach helps practitioners to focus on what makes a positive difference for children and young people – and how they can act to deliver these improvements. GIRFEC is being threaded through all existing policy, practice, strategy and legislation affecting children, young people and their families. The GIRFEC policy and practice guidance is currently being refreshed, seeking to further align and clarify the relationship between GIRFEC and other supporting legislation and policy.

The Education (Scotland) Act 2016 received Royal Assent in March 2016. The Act is a multi-purpose piece of legislation with a mix of measures covering education in Scotland. The Act introduced measures to improve Scottish education, including:

- improving the attainment of learners from lower socio-economic backgrounds;
- widening access to Gaelic-medium education;



- extending the rights of learners with additional support needs.

The Act amends the Education (Additional Support for Learning) (Scotland) Act 2004, the Standards in Scotland's Schools etc. Act (2000), the Education (Scotland) Act 1980 and the Welfare Reform Act 2007. The Act introduced the National Improvement Framework.

In relation to learners with additional support needs, the Act contains provisions that change the Education (Additional Support for Learning) (Scotland) Act 2004. These changes enable learners themselves to use certain rights available under the Act, if they are 12 years of age or over and have the capacity to do so. This goes beyond the suggested extension by the 2008 Concluding Observations from the United Nations Committee on the Rights of the Child, of rights for children with special educational needs to the tribunals process. These rights were enacted in January 2018 ([Legislation Updates 2017](#), pp. 30–31).

To further strengthen children's rights in Scotland, the Scottish Government has committed to incorporating the United Nations Convention on the Rights of the Child into Scottish law. A [Bill to incorporate the Convention](#) has been introduced in parliament. The Bill aims to ensure that there is a proactive culture of everyday accountability for children's rights across public services in Scotland. This will mean that children, young people and their families will experience public bodies consistently acting to uphold the rights of all children in Scotland. The intention is that the Bill will result in the highest possible protection for children's rights.

Section 15 of the Standards in Scotland's Schools etc. Act 2000 (this section came into force in 2003) states that the education of all children should be provided in mainstream schools, unless certain specified exceptions apply. This applies to all children starting or attending school, nursery schools and classes, including those in other local authority-managed centres and non-local authority pre-primary centres with whom the authority has an arrangement under Section 35 of the 2000 Act (European Agency, Organisation of Provision, p. 6).

The Getting It Right for Every Child practice model (GIRFEC) has been legislated through the Children and Young People's Act 2014.

The Disability Strategies and Pupil's Educational Records Act 2002 requires responsible bodies (education authorities and managers of grant-aided and independent schools) to plan over time to improve access to curriculum, school information and physical access for disabled learners.

In December 2015, Ministers announced a review of guidance on mainstreaming provisions ([CPRA – UK Scotland](#), p. 5).

Following the consultation, in 2019 the Scottish Government published guidance on the presumption to provide education in a mainstream setting.

[Presumption to provide education in a mainstream setting: guidance](#)

There is statutory guidance to support the implementation of the Additional Support for Learning Act, which clearly outlines the requirement to tailor support to each individual child ([CPRA – UK Scotland](#), p. 12).

[Supporting Children's Learning Code of Practice \(Revised edition\)](#)



From August 2015, free provision to pre-primary education was extended from the age of 2 to the poorest households who meet the free school meal entitlement ([CPRA – UK Scotland](#), p. 27).

Scotland's national plan to raise standards in education includes the Scottish Attainment Challenge (SAC). The SAC is designed to raise attainment in literacy, numeracy, health and well-being and to close the poverty-related attainment gap. Pupil Equity Funding is provided to individual schools and the challenge fund is provided to local education authorities in areas of high deprivation (as measured by the social index of multiple deprivation) ([Preventing School Failure](#), p. 17).

The 2020 National Improvement Framework (NIF) and Improvement Plan states:

We have a moral imperative to ensure that all young people in Scotland receive a first class education in their local school. That is why the relentless focus of this Government is to deliver an education system in Scotland which raises attainment for all, closes the attainment gap, and enables all children and young people to fulfil their potential ... Scottish Ministers have a statutory duty, introduced by the Education (Scotland) Act 2016, to review the NIF and publish a plan on an annual basis ([Preventing School Failure](#), p. 43).

3.2 Is there a single curriculum framework covering all learners in all educational settings?

Yes.

3.2a Description of the single curriculum framework

Curriculum for Excellence is a curriculum for all, and within this, health and well-being is the responsibility of all.

Scotland's curricular framework is an inclusive one. Its values are those of justice, integrity, compassion and wisdom. The curriculum is designed with a set of principles that include breadth, depth, progression, relevance, challenge, enjoyment, coherence and personalisation and choice. Every child and young person is entitled to 'opportunities to achieve to the highest levels they can through personal support and challenge'. This entitlement to personal support is offered and delivered to young people through universal and targeted support. It is intended that all children and young people should achieve four outcomes (or capacities), which is to become: Confident individuals, Successful learners, Effective contributors, and Responsible citizens.

[What is Curriculum for Excellence?](#)

As a result of the independent review of the curriculum by the Organisation for Economic Co-operation and Development (OECD), the Scottish Government is undertaking a review of the curriculum and has accepted all 12 of the OECD's recommendations ([Curriculum for Excellence: Scottish Government response to OECD Review](#)).

3.2b Overview of the general curriculum framework

Not applicable.



3.2c Overview of specific curriculum framework(s) for different groups of learners who are vulnerable to exclusion from inclusive education

No information.

3.3 Is there a single legislation and policy framework for all teacher education and professional development?

No.

3.3a Description of the single legislation and policy framework for teacher education and professional development

Not applicable.

3.3b Overview of the general legislation and policy framework for teacher education and professional development

Primary teachers in Scotland must have either a degree in primary education or a postgraduate certificate in education.

Teachers in Scottish secondary schools must have a university degree in a relevant subject and a postgraduate certificate in education, or a degree in their chosen subject which includes a teaching qualification.

If teaching in a local authority school, teachers must register with the General Teaching Council for Scotland.

If a teacher is employed wholly or mainly to teach learners with a hearing or visual impairment, they must have, or be working towards, an appropriate qualification (postgraduate diploma/certificate).

Scotland's universities offer numerous postgraduate courses, in various branches of learning and behaviour support teaching (European Agency, [Country information](#)).

Teaching Scotland's Future is the national programme to deliver improvements in teacher professional learning. It is led by the national organisations involved in teacher education in Scotland – teacher and head teacher unions, Education Scotland, the General Teaching Council for Scotland, the Scottish Government, teacher education institutions and local authorities (Eurydice, National Education Systems, United Kingdom – Scotland, Continuing Professional Development for Teachers Working in Early Childhood and School Education; Teacher Professional Learning for Inclusion (TPL4I) [Policy Mapping Grid](#), p. 7.

An evaluation in 2016 provided an overview of the then current landscape of teacher education, highlighting what progress had been made in key areas since Teaching Scotland Future was published and where further progress and improvements were identified.

[Evaluation of the Impact of the Implementation of Teaching Scotland's Future](#)

All initial teacher education programmes in Scotland operate within the framework of The Standard for Initial Teacher Education (SITE). The Standard specifies what is expected of a student teacher at the end of Initial Teacher Education at the time of provisional registration with the General Teaching Council for Scotland (GTCS). Several of the



Standard's benchmark statements directly relate to inclusive practice (Teacher Education for Inclusion [country report](#): UK (Scotland), p. 4).

The GTCS standards for registration state that all teachers have to:

Commit to the principles of democracy and social justice through fair, transparent, inclusive and sustainable policies and practices in relation to: age, disability, gender and gender identity, race, ethnicity, religion and belief and sexual orientation. These standards are clear and set in the context of equity and social justice.

There are standards for Middle and Senior leaders too.

The GTCS Professional Standards were refreshed in 2021 and include a new section called 'Being a teacher in Scotland', which highlights the professional values of social justice, trust and respect and integrity as central to what it means to be a teacher in Scotland.

[Professional Standards for Teachers – The General Teaching Council for Scotland](#)

Annex B of the McCrone Agreement (on teachers' conditions of work) attempts to define the responsibilities of teachers in including all learners (Teacher Education for Inclusion [country report](#): UK (Scotland), p. 1).

The Framework for Inclusion provides further clarification of what all teachers should know, be able to do and to believe if inclusion is to be achieved and is now available on the GTCS website (Teacher Education for Inclusion [country report](#): UK (Scotland), p. 1).

[National Framework for Inclusion – The General Teaching Council for Scotland](#)

Other competences include the standard for full registration (SFR), Chartered Teacher, and the Standard for Headship. Seven Scottish Universities have recently collaborated in producing the National Framework for Inclusion, which builds on the Standards for Initial Teacher Education and SFR (Teacher Education for Inclusion [country report](#): UK (Scotland) example, p. 5; [CPRA – UK Scotland](#), p. 44).

The General Teaching Council Scotland (GTCS) competences and the Framework for Inclusion statements from the Guidelines for Initial Teacher Education Courses directly relate to inclusive practice. The overall aim of courses of initial teacher education is to prepare students to become competent and thoughtful practitioners, who are committed to providing high-quality teaching for all learners. Courses must prepare teachers to be responsive to the range and diversity of the needs of all learners in respect of:

- differing abilities and talents;
- gender;
- health and general well-being;
- social, religious, cultural and linguistic background;
- additional support needs.

The inclusive values and attitudes contained in these statements are modelled by the teacher educators in the way they teach their courses, the ways that they embed the principles of inclusive education across programmes, and through the ways in which they



relate to and work with students and colleagues (Teacher Education for Inclusion [country report](#): UK (Scotland), pp. 3–4; [CPRA – UK Scotland](#), p. 12).

Since August 2014, all GTCS registered teachers have been required to participate in the Professional Update process. Professional update will ensure teachers have an entitlement to supportive professional learning and will confirm that teachers have maintained high standards of learning and practice. The Professional Update process requires the following of teachers:

- an annual update of contact details to GTCS;
- engagement in professional learning;
- self-evaluation against the appropriate GTCS Professional Standard;
- discussion of this engagement and the impact of this, as part of the PRD [Professional Review and Development] process;
- maintain a professional learning record and portfolio of evidence;
- five-yearly confirmation of this engagement to GTCS.

Eurydice, National Education Systems, United Kingdom – Scotland, Continuing Professional Development for Teachers Working in Early Childhood and School Education; TPL4I [Policy Mapping Grid](#), p. 16.

Career-long professional learning builds on current strengths of CPD and extends the concept of the enhanced professional. It sees teachers as professionals taking responsibility for their own learning and development, exercising increasing professional autonomy enabling them to embrace change and better meet the needs of children and young people.

As part of their commitment to professional learning, all teachers must have an annual plan of appropriate activities (a Career-Long Professional Learning plan) which is agreed with their line manager. This is often agreed within the context of an annual meeting with their line manager. Teachers are also required to maintain an individual Career-Long Professional Learning record for professional purposes.

The refreshed GTCS Professional Standards 2021 include a new section called ‘Being a teacher in Scotland’, which highlights the professional values of social justice, trust and respect and integrity as central to what it means to be a teacher in Scotland:

5.7 Professional Values

- Committing to social justice through fair, transparent, inclusive, and sustainable policies and practices in relation to protected characteristics, (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation) and intersectionality
- Demonstrating a commitment to supporting learners who are experiencing or who have experienced trauma, children and young people from a care-experienced background and understanding responsibilities as a corporate parent.

[Professional Standards for Teachers – The General Teaching Council for Scotland](#)



Education Scotland supports development and training across all sectors, in addition to its duty to inspect schools. Evidence of positive and innovative practice is shared through its website, through practitioner networks and events and through communities of practice which are established across the country. These networks are supported by area lead officers in each education authority.

Education Scotland promotes the national model of professional learning and an online professional learning and Leadership Hub for educators to engage with a range of online learning activities, search professional learning programmes and find national, regional and local events. A separate professional learning framework has been developed for Pupil Support Staff, which is part of a Scotland-wide conversion to improve future support for this particular workforce.

[The National Model of Professional Learning](#)

[Education Scotland – Professional Learning and Leadership](#)

[Pupil Support Staff Framework](#)

3.3c Overview of specific legislation and policy framework for teacher education and professional development and what and who this specific framework focuses on

The 2016 Digital Learning and Teaching guidance aims to enable Scottish educators, learners and parents to take advantage of digital technology. This can help to raise attainment, ambition and opportunities for all. The strategy sets out a series of national actions and local expectations structured around four objectives:

- to develop teachers' skills and confidence;
- to improve access to digital technology for all learners;
- to ensure that digital technology is a central consideration in all areas of curriculum and assessment delivery;
- to empower leaders of change to drive innovation and investment in digital technology for learning and teaching ([Preventing School Failure](#), p. 62).

Many schools have learning support teachers (qualified teachers who specialise in working with children with additional support needs). Specialisation in this area is gained through courses and training within career-long professional learning. These posts have a varied role: they may train and support class/subject teachers to make sure that the curriculum is accessible, co-teach in classes, or work directly with children and young people. The learning support teacher may co-ordinate the support provided to children and young people and encourage them to take greater responsibility for their support (TPL4I [Policy Mapping Grid](#), p. 7).

If a teacher is employed wholly or mainly to teach learners with a hearing or visual impairment, they must have, or be working towards, an appropriate qualification (postgraduate diploma/certificate). The Scottish Government works with partners to refresh the guidance and competence on the appropriate qualifications for teachers of learners who are hearing impaired, visually impaired or both hearing and visually impaired.



[Qualifications for teachers of hearing and visually impaired children and young persons: guidance, Appendix A](#)

3.4 Is there a single legislation and policy framework to ensure support for all learners throughout their school careers?

No.

3.4a Description of the single legislation and policy framework that ensures support for all throughout their school careers

Not applicable.

3.4b Overview of the general legislation and policy framework that ensures support for the majority of learners throughout their school careers

The GIRFEC practice model places a responsibility on a Named Person to co-ordinate services for a single plan for a child. GIRFEC and the Children and Young People Act 2014 promote partnership working across education, health, social work and police in order to ensure the best support for children and families, and improved outcomes for all children and young people from 3–18, as well as for those with Additional Support Needs until 18 or later if still at school.

Curriculum for Excellence provides a framework which supports a personalised approach to learning. It recognises that all learners should be active participants at the centre of all planning, learning, teaching and assessment. Within Curriculum for Excellence (CfE) the focus is on partnership delivery in and out of school and supporting collaboration with employers, local partners and other agencies to deliver the entitlements within CfE.

Meeting the ambitions for this curriculum involves pre-school centres and schools working in learning partnerships with colleges, universities, employers, partner agencies, youth work and the voluntary sector to provide a coherent package of learning and support based around the individual learner and in the context of local needs and circumstances (Building the Curriculum 3).

[Building the Curriculum](#)

Curriculum for Excellence can best be delivered through partnership working. All establishments should work with partners and share a common understanding and language around skills development and application. Together, they should plan and deliver learning and other experiences which meet the needs of individual children and young people ([CPRA – UK Scotland](#), p. 8).

3.4c Overview of the specific legislation and policy framework that ensures support for learners who are vulnerable to exclusion from inclusive education throughout their school careers

No information.



3.5 Is there a single legislation and policy framework to ensure support for all learners at times of transition between phases of education and into adult life?

No.

3.5a Description of the single legislation and policy framework that ensures support for all learners at times of transition between phases of education and into adult life

Supporting Children’s Learning Code of Practice explains the duties on education authorities and other agencies to support children and young people’s learning. Chapters include meeting additional support needs, co-ordinated support plans, transitions and resolving disagreements (European Agency, Organisation of Provision, pp. 4–5; [CPRA – UK Scotland](#), p. 31).

[A summary of Developing the Young Workforce \(DYW\) resources](#)

3.5b Overview of the general legislation and policy framework that ensures support for the majority of learners at times of transition between phases of education and into adult life

No information.

3.5c Overview of the specific legislation and policy framework that ensures support for learners who are vulnerable to exclusion from inclusive education at times of transition between phases of education and into adult life

The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended). The Act requires education authorities to take action at various transition points in a child or young person’s education. For example, if a child is moving from primary to secondary school, the education authority must start to gather information and views from appropriate agencies that have been working with the child at least 12 months before the child is due to move (European Agency, Organisation of Provision, p. 4).

Education Scotland offers advice on all transitions through its Parentzone website, as well as for people 16 years or over on Enquire’s website. The annual report to parliament for 2014 carried examples of best practice in transitions.

A new [Career Education Standard 3–18: Suite of learning resources](#) has been developed with key partners in direct response to the recommendation from Education Working For All that children receive careers guidance earlier. It builds on advice and guidance in Curriculum for Excellence and in particular Building the Curriculum 4: skills for learning, skills for life and skills for work. The standard sets out:

- entitlements for children and young people (3–18);
- expectations of key partners to support the implementation of the standard.

The standard, when implemented, aims to better prepare children and young people for the world of work.



Helping all learners to see the link between the skills they develop across the curriculum and how these are used in the world of work can open up new possibilities for learning.

In this way, career education can support learning and the important decisions that young people make about subjects, pathways, future learning and job opportunities. Teachers and practitioners working with children and young people play an important role in career education, as it supports the development of skills for learning, skills for life and skills for work ([CPRA – UK Scotland](#), p. 51).

Evaluative commentary

This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of the legislative and policy framework for inclusive education in practice. It specifically considers the main challenges and opportunities for effectively translating policy into regional, local and school level practice.

Challenges

Supporting the Scottish rights-based, and child-centred legislative framework is a suite of national drivers, policy and professional support, again all of which have provided an opportunity to embed a rights-based inclusive approach as their foundation. However, the implementation of this has not been embedded and achieved. This challenge has been highlighted as a significant factor in the 2020 independent review of the implementation of the additional support for learning legislation in Scotland by Angela Morgan (commonly referred to as the Morgan Review): ‘The very complex challenges of meaningful inclusion and meeting additional support needs are a work in progress in Scotland’ ([Review of additional support for learning implementation: report](#), p. 11).

The evidence in the report highlights that there are examples of good practice and dedicated educators trying to embed the legislation. The review highlights the challenges going forward through nine themed and interconnected recommendations summarised below.

Full details can be accessed within the report.

Introduction from the Independent Chair, Angela Morgan ([Review of additional support for learning implementation: report](#))

Theme 1: Vision and visibility

- The development of a national, over-arching Vision Statement for success for children and young people who have additional support needs must be developed by the end of 2020, with the full involvement of children and young people.
- The development of a national measurement framework for additional support for learning must be developed to ensure that there is no reduction in aspiration and ambition for all children and young people to achieve to the maximum of their learning potential.



Theme 2: Mainstreaming and inclusion

- The integration of additional support for learning into the Independent Review of Curriculum for Excellence.
- The work of the Scottish Education Council must be informed by the findings of this Review.

Theme 3: Maintaining focus, but overcoming fragmentation

- There must be clear values-driven leadership, shared communication, support and challenge at all levels of the system to ensure that the experiences and achievements of children and young people with additional support needs are visible and continue to be improved.
- Fully integrated policy-making.

Theme 4: Resources

- Audit Scotland must use the key themes in this report, and the associated findings from their audit of educational outcomes, to inform the scope of their national performance audit on outcomes for children and young people with additional support needs.
- The Grant-Aided Special Schools and three national centres must use the opportunities that arise from the commissioning strand of the Doran Review (see section 4.4 below) to consider how their specialised expertise (including in prevention and de-escalation) can be developed to be complementary to statutory mainstream and specialist provision, in order to support improvement in the experiences and outcome of children and young people with additional support needs.

Theme 5: Workforce development and support

Teacher Education and Development

- All teachers understand what additional support needs are. They are clear about their role in supporting the identification of additional support needs and the need to adapt their teaching to ensure a meaningful learning experience for all their learners.
- Teacher recruitment, selection, education and professional development and learning processes must align with the changed and changing profile of children and young people in Scotland, ensuring that:
 - all teacher education and development includes nationally specified practice and skills development in supporting learners with additional support needs, as a core element;
 - practice learning and development at local level must include where and how to access specialists' expertise and support;



- communication, relationship-building and positive mediation skills development are incorporated and embedded into teacher education and development, supported by coaching and mentoring opportunities;
- parity of career progression, pathway structures and opportunities for specialist teachers of Additional Support for Learning.

Pupil Support Assistants (Pupil Support Staff)

- The Classroom Support Staff working group (renamed Pupil Support Staff working group) must, as part of their work, undertake a review of roles and remit of Pupil Support Assistants. This must include the development of clear specifications for how classroom teacher and pupil support assistant roles interact and complement each other. It must also consider standards of practice, learning pathways, career progression routes and remuneration.

Theme 6: Relationships between schools and parents and carers

- Schools and local authorities must work in partnership with parents and carers to develop and deliver ways of working together that support and promote positive relationships, communication and co-operation.
- This must include clear pathways on transitions for children and young people with additional support needs, in the context of learning for life, allowing parents, carers, children, young people and professionals to be informed and supported at key transition points.
- Parents and carers must be involved as equal partners in the development of key guidance, to contribute their knowledge and lived experience.
- Further investment is needed to strengthen support services for families, allowing these services, and the support that they provide, to be embedded.
- The benefits of the use of mediation must be widely promoted at a national, regional and local level, and consideration should be given to how mediation can be developed through professional learning to support the workforce.

Theme 7: Relationships and behaviour

- The remit of the Scottish Advisory Group on Relationships and Behaviour in Schools (SAGRABIS) must be reviewed and widened to bring it up to date and in line with emerging knowledge and recommended practices, including the findings of this Review.
- SAGRABIS should have a primary focus on relationships and behaviour, but also the ability to focus on wider additional support for learning issues, developing improvement priorities and ensuring those priorities are reflected at a national, local and regional level. In doing so, SAGRABIS must ensure they work closely with the Additional Support for Learning Implementation Group.

Theme 8: Understanding rights

- The incorporation of UNCRC, and its impact on Additional Support for Learning legislation and processes, must be fully anticipated and planned for to ensure



children's rights are embedded and effectively underpin the implementation of the Additional Support for Learning legislation.

- The collaborative review of Co-ordinated Support Plans with stakeholders (CSPs) must take the findings of this Review into account.
- The interconnectivity between the ASL planning process – CSPs, child's plan and GIRFEC:
 - planning mechanisms within a whole-life perspective for children and young people with lifelong conditions, including transitions between and beyond education settings;
 - the relationship between education and partners in health, social work and other agencies to identify where re-alignment is needed in the preparation and delivery of support.

Theme 9: Assurance mechanism and inspection

- A mechanism should be put in place to allow progress against these recommendations to be reported and scrutinised. A progress report should be produced for Scottish Ministers and COSLA.
- Local authorities must take account of the findings of this report to review and align their quality-assurance processes. This must drive improvements in processes, practice and outcomes at all levels in the system.
- Education Scotland must:
 - take account of the findings of this report and take action to ensure that their scrutiny frameworks, and inspection activities, are in line with it;
 - use the findings of this Review, and the conditions identified for good practice, to support and develop improvement in local authorities, Regional Improvement Collaboratives and schools.

Opportunities

The development of nationally available professional learning by Education Scotland to support professionals within the system to better understand how they can effectively support children and young people who require additional support will be framed through four interconnecting themes:

- rights and participation;
- relationships;
- well-being and care;
- inclusion and universal support.

The National Additional Support for Learning (ASL) Action Plan sets out the measures which will be taken to address the findings of the review of Additional Support for Learning [implementation](#). It includes a range of actions which will provide improved information guidance and professional learning on the ASL process in Scotland. This is being developed for all stakeholders.



[Additional support for learning: action plan](#)

The ASL review was critical of the focus on attainment highlighting the need to include children's achievements and to ensure parity across attainment and achievement.

The most powerful and visible measure of success for Scotland's education system and for the progress of individual children and young people is currently attainment in the form of qualifications. Within the system, some qualifications are valued significantly more highly than others ([Review of additional support for learning implementation: report](#), p. 9).

To address attainment and achievement, a national measurement framework based on the four pillars of inclusion is being undertaken. This will involve discussion around the use of profiling, and tracking and monitoring of achievements and skills on an on-going basis. The forthcoming review of assessment for all children and young people will be inclusive and help to inform how all children's attainment can be better measured ([Reforming qualifications and assessment](#)).

Consequences

Many schools have learning support teachers (qualified teachers who specialise in working with learners with additional support needs). Specialisation in this area is gained through courses and training within career-long professional learning. These posts have a varied role: they may train and support class/subject teachers to make sure that the curriculum is accessible, co-teach in classes or work directly with learners. Learning support teachers may co-ordinate the support provided to learners and encourage them to take greater responsibility for their support. There are variations across the 32 local authorities in the deployment and numbers of learning support teachers. This can contribute to perceptions that support will depend on where a child or young person is attending school.

The legislative and policy framework is clear that if required, children and young people are entitled to additional support and adjustments in the design, planning and implementation of the curriculum by their schools and local authorities to ensure they have the same opportunities to experience an inclusive education. The Angela Morgan review of the legislation ensures that practice is as robust as the legislation and policy. This will require enhanced professional learning for all educators, and the effective implementation of the actions set out by Scottish Government.

[Additional Support for Learning review: action plan – November 2022 update](#)

Scottish Government and COSLA's joint progress report on the Additional Support for Learning Action Plan – [Additional support for learning action plan: progress report](#)

[Children and Young People – National Performance Framework](#)



SECTION 4. SYSTEM GOVERNANCE

This section provides information on aspects of governance across and between different system levels, bodies and stakeholders in the country.

4.1 Shared responsibilities across and between central and local government

The United Kingdom's political system has a number of regional differences, with separate education legislation for England, Wales, Northern Ireland and Scotland. The devolved government for Scotland has a range of responsibilities which include health, education, justice and the environment. Some powers are reserved to the UK government, including immigration, the constitution, foreign policy and defence. The Scottish Government includes a Cabinet Secretary (Cabinet Minister) for Education and Skills and, in the civil service, a Learning Directorate and an Advanced Learning and Science Directorate.

The Scottish Government is responsible for developing national policy and, where necessary, developing appropriate legislation to support delivery of the policy. In terms of additional support for learning, this is the role of the Support and Wellbeing Unit in the Scottish Government Learning Directorate.

There are about 144 state-run special schools for 6,900 children and young people. About one third of mainstream schools have a base or unit shared with the school. There are about 50 independent special schools, most of which have very small numbers ([CPRA – UK Scotland](#), p. 15).

The Supporting Children's Learning Code of Practice explains the duties on education authorities and other agencies to support children and young people's learning. Chapters include meeting additional support needs, co-ordinated support plans, transitions and resolving disagreements (European Agency, Organisation of Provision, pp. 4–5; [CPRA – UK Scotland](#), p. 31).

Local authorities have to publish information about specified matters relating to additional support needs, including their policies in relation to provision for such needs.

Quality indicators for Additional Support Needs education

Each year, Scottish ministers collect information from each education authority (EA) on:

- the number of learners with additional support needs for whose school education the authority is responsible;
- the principal factors giving rise to the additional support needs of those learners;
- the types of support provided to those learners;
- the cost of providing that support.

Scottish ministers must publish the information collected each year. From 2011 to 2015, it was published within an [annual report](#).



Education Scotland, through His Highness's Inspectors, inspects, reviews and reports on the provision made by schools and Eas across Scotland, the most recent being [Quality and Improvement in Scottish Education 2012–2016](#) (Education Scotland, 2017).

The inspection process includes reporting the inspection findings to the school, school community and the EA. Education Scotland contributes to a national picture of Scottish education through:

- the national performance framework reporting mechanism, 'Scotland Performs';
- the 'Improving Scottish Education' series, which provides a broad overview of Scottish education and reports on equality of provision.

4.2 Specific areas for shared responsibilities across and between central and local government

Policy development, implementation and co-ordination

Children and Young People (Scotland) Act 2014 duties apply across education, health, police and social services, and require multi-agency collaboration ([CPRA – UK Scotland](#), p. 27).

Additional Support for Learning Act as (Amended 2009) targeted support places duties on multi agency partners ([Additional support for learning: statutory guidance 2017](#), p. 7).

Identification of needs / referral for services

The [Early Years Collaborative](#) (EYC) is an initiative to promote early learning and care. It is the world's first multi-agency, bottom-up, quality-improvement programme to support the transformation of early years. Launched in October 2012, it involves all 32 Community Planning Partnerships and a wide range of National Partners. Its focus is on strengthening and building on services using improvement methodology. This method enables local practitioners to test, measure, implement and scale-up new ways of working to improve outcomes for children and families. Further advice is available for parents about early learning ([CPRA – UK Scotland](#), p. 26).

Since 2012, the Scottish Government has supported the improvement of services used by children, young people and families through the EYC and, from 2014, the Raising Attainment for All programme. In 2016, these programmes combined to form the [Children and Young People Improvement Collaborative](#) (CYPIC). The aim of the CYPIC programme is to make early years, health, family services and schools more effective and responsive in tackling inequality and improving children's outcomes. This is done by supporting local authorities, health boards and the third sector to use Quality Improvement (QI) in their services for children, young people and families.

Supporting Children's Learning Code of Practice explains the duties on education authorities and other agencies to support children and young people's learning. Chapters include meeting additional support needs, co-ordinated support plans, transitions and resolving disagreements (European Agency, Organisation of Provision, pp. 4–5; [CPRA – UK Scotland](#), p. 31).



Data collection and sharing

The Scottish Government supports and develops a significant number of secure, efficient and effective electronic data exchanges between partners in the Scottish Government and wider service communities. For example, the annual census is collated from all 32 local authorities and includes data on learners who require additional support.

[Scottish Exchange of Data \(ScotXed\)](#)

Monitoring and evaluation

No information.

Quality assurance and accountability

Scottish legislation and policy guidance do not refer to school failure. Related 'needs or concerns' are identified through national data analysis or evidence from national strategy groups.

Policies define specific duties for ministers, education authorities and schools. These duties are designed to secure an inclusive and equitable education system. In Scotland, 'school failure' would be assumed if the national policies and school systems do not:

- ensure a minimum standard of education for every child or young person (inclusion);
- promote equality and ensure that socio-economic or personal circumstances do not become barriers to achieving educational potential ([Preventing School Failure](#), p. 8).

Funding

In Scotland, the local authorities receive funding from the Scottish Government and from council tax. Each local authority then decides how much it needs to spend from its revenue on education. It must ensure it meets its statutory duties.

In 2018–19, education authorities (EAs) spent GBP 5.6 billion on education, of which GBP 661 million was spent on additional support for learning. EAs prioritise this spending in light of local priorities and circumstances, including across their range of provisions (European Agency, [Country information](#)).

The Children and Young People (Scotland) Act 2014 requires local authorities to make 600 hours per year available free of charge to all eligible children residing in their authority, as detailed in section 5.8 of the Act. Local authorities are required to consult with local communities as to how this is delivered. Local authorities may offer parents opportunities to purchase additional hours should these be required ([CPRA – UK Scotland](#), p. 27).

In October 2016, the Scottish Government published 'A Blueprint for 2020: The Expansion of Early Learning and Childcare in Scotland', setting out the vision to expand the entitlement of funded ELC. The funded hours increased from 600 hours to 1,140 hours per year for all children aged 3 and 4 and eligible 2-year-olds from August 2020. The aim was to provide high quality, flexible ELC which is accessible and affordable for all families. The statutory requirement for local authorities to deliver this entitlement was postponed to August 2021 due to the COVID-19 pandemic.



4.3 Formal and informal collaboration across ministries

No information found on informal collaboration.

Nationally, [Education Scotland](#) – Scotland’s education improvement agency – has an Inclusion Well-being and Equalities (IWE) team of officers working in a national and regional capacity across inclusion, well-being, additional support and equalities. Locally, education authorities will have a range of structures, processes and staff to support inclusive education.

Education Scotland IWE officers attend, facilitate and support a range of IWE national networks, which include stakeholders from the Scottish Government directorates, early learning and schools, local authorities, third sector, health, social services, children and young people and parental representation.

The Scottish Government Supporting Learners and Well-being Team work collaboratively with Education Scotland’s IWE team and chair a range of programme boards and working groups with all focus on the implementation of the Additional Support for Learning Act and learner well-being.

[Additional Support for Learning](#)

The Scottish Government GIRFEC team supports a network of local authority link offices across education, health and social work as well as a network of independent and grant-aided schools to support the implementation of GIRFEC and the delivery of the Children and Young People’s Act 2014, including sharing of knowledge and resources through the Public Service Knowledge Hub ([CPRA – UK Scotland](#), p. 14).

The Education Bill Policy Ambition – Joint Agreement sets out agreed principles and measures to support and encourage the empowerment of schools in Scotland. The following four principles form the basis of system-wide improvement:

- a Head Teachers’ Charter where head teachers have more control over their curriculum, school improvement, staffing and how delegated funding is used;
- parental and community engagement;
- learner participation;
- Regional Improvement Collaboratives ([Preventing School Failure](#), pp. 50–51).

4.4 Specific mechanisms for formal and informal collaboration that impact on inclusive education

Development of a shared vision for inclusive education

The Equality Act 2010 places a duty on schools and education authorities not to discriminate against learners with protected characteristics including disabilities, sexual orientation and ethnicity. This includes admission to school, the way education is provided, access to a benefit, facility or service, and exclusion. They must not treat



learners with disabilities less favourably and must take reasonable steps to avoid putting these learners at a substantial disadvantage. The duty related to aids and services means that, since September 2012, schools (including independent schools) have to make reasonable adjustments (European Agency, Organisation of Provision, p. 2; [CPRA – UK Scotland](#), p. 6).

The new [National Improvement Framework](#) (NIF) sets out the vision and priorities for children’s progress in learning. The Framework will be key in driving work to continually improve Scottish education and close the attainment gap, delivering both excellence and equity ([CPRA – UK Scotland](#), p. 41).

Education Scotland has set up an Inclusion Team and given a clearer focus to Inclusion , Well-being and Equalities through its webpages on the National Improvement Hub ([CPRA – UK Scotland](#), pp. 21–22).

Policy development, implementation and co-ordination

Section 35 of the 2000 Act is based on the premise that all children benefit when the inclusion of learners with additional support needs with their peers is properly prepared, well-supported and takes place in mainstream schools with a positive ethos. In Scotland, it was felt that such inclusion helps schools to develop an ethos to the benefit of all children, and of society generally. Many parents expressed the desire that their children be included and educated alongside their friends in a school as close to home as possible. The education community in Scotland recognises that effective inclusion should not be seen solely in terms of physical location, but must take account of what provision works for each child (European Agency, Organisation of Provision, p. 7; [CPRA – UK Scotland](#), p. 35).

The strategic review of learning provision for children and young people with complex additional support needs (Doran Review) was commissioned in 2010. The final report ‘The Right Help at the Right Time and Right Place’, published in November 2012, provides a set of recommendations aimed at providing better outcomes and experiences for children and young people with complex additional support needs ([CPRA – UK Scotland](#), pp. 21–22).

Identification of needs / referral for services

The Education (Additional Support for Learning) (Scotland) Act 2004 as amended by the Education (Additional Support for Learning) (Scotland) Act 2009, imposed certain duties on Scotland’s education authorities (EAs) – the 32 local council areas responsible for the provision of statutory education in Scotland. The 2004 Act requires that EAs:

- Identify and assess children and young people with additional support needs;
- provide for the additional support required for each child or young person with additional support needs for whose education they are responsible, subject to certain exceptions;
- review the additional support needs identified and the adequacy of support provided to meet the needs of each child or young person;



- prepare a co-ordinated support plan for those children or young people who meet certain criteria and keep this plan under regular review (European Agency, Organisation of Provision, p. 1; [CPRA – UK Scotland](#), pp. 9–10).

Data collection and sharing

Nationally, the Scottish Government collects a wide range of data to measure performance of all children and young people, as well as those with ASN. The NIF also collects evidence around poverty and closing the gap between Scottish Index of Multiple Deprivation quartiles. This year (2022/23), authorities are being asked to set stretch aims relating to literacy and numeracy to close the poverty related gap. Given the intersectionality across poverty and ASN, this will also impact on those children and young people with ASN.

In addition, Tableau is an interactive NIF resource that enables educators to access a range of national Scottish data and compare with their local authority or establishment data.

[NIF Interactive Evidence Report – Tableau Public](#)

At a more local level, the five local authorities in the South East Improvement Collaborative (SEIC) developed and agreed a collaborative data-sharing agreement. The aim is to share practice and develop a model for a data dashboard which can be adapted and customised as required by each local authority.

Monitoring and evaluation

The Education (Scotland) Act 2016 placed duties on education authorities to plan and report their strategic decisions in relation to socio-economic disadvantage.

Scottish ministers must publish the information collected each year. This annual report, called 'Implementation of the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended): Report to Parliament' has become a very useful milestone in improving provision further.

Scottish ministers must collect information from each education authority on:

- the number of children and young persons with additional support needs for whose school education the authority is responsible;
- the principal factors giving rise to the additional support needs of those children and young persons;
- the types of support provided to those children and young persons;
- the cost of providing that support (European Agency, Organisation of Provision, p. 7; [CPRA – UK Scotland](#), pp. 21–22).

Quality assurance and accountability

The Scottish Government has published five reports to parliament on aspects of additional support. Diversity and equality have featured as examples of good practice nationally. In every inspection, schools are asked to self-evaluate and offer their response to the



questions ‘How well do you promote inclusion and diversity? How successfully do you address equality?’ ([CPRA – UK Scotland](#), pp. 21–22).

Education Scotland published [Quality and Improvement in Scottish Education 2012–2016](#) (Education Scotland, 2017). The report noted that there were many strengths in the quality of provision and professional practice across all sectors of education. It also published two reports on the work of educational psychologists based on inspection evidence from 2015 to 2018:

Educational psychology services in Scotland: Making a difference to excellence and equity for all: Outcomes from inspection evidence 2015 to 2018 February 2019

([Educational Psychology Services in Scotland](#))

[Making a difference to excellence and equity for all – The future of educational psychology services in Scotland](#)

Funding

No information.

Evaluative commentary

This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of system governance for the implementation of inclusive education in practice. It specifically considers the impact of levels of decentralisation/centralisation in the country on inclusive education in practice.

Challenges

Scotland has a long tradition of organising its own education system and has legislative power and executive authority in all areas of education since the Scotland Act of 1998. The 32 local authorities have direct responsibility for schools, hiring school staff, providing and financing most educational services and implementing Scottish Government policies in education. Local authorities help schools design and implement their curriculum based on the CfE framework (Scotland’s curriculum for excellence: into the future, OECD 2021).

However, the Scottish Government does not have authority to be prescriptive in how inclusive education is achieved and implemented by local authorities and therefore variations across the 32 local authorities are inevitable. Local authorities and their schools are empowered to develop Curriculum for Excellence in their context and to take account of the learners’ environment, the community and the needs of all children and families within their local area. They also have a legal responsibility to identify, assess and support the needs of all children and young people who require additional support. How local authorities decide to develop their processes will vary. This is dependent on a number of factors such as the:

- geographical location – rural, city or a combination of both;
- population numbers and demographics;



- fiscal focus of elected local authority councillors.

The [Convention of Scottish Local Authorities \(COSLA\)](#) works on behalf of local authorities to focus on the challenges and opportunities they face, and to engage positively with the Scottish Government and others on policy, funding and legislation.

The variation in approaches and priorities across Regional Improvement Collaboratives, local authorities, early learning centres and schools can impact on the effectiveness in how inclusive education is empowered, implemented, evaluated and embedded.

Devolving the responsibility from a government to local authorities was raised as a challenge in the Morgan review, which expressed the view that:

the additional support for learning legislation primarily designates responsibility for its implementation to Education Authorities, limiting the focus of attention and understanding of additional support for learning on education and academic ([Review of additional support for learning implementation: report](#), p. 18).

Education Scotland published [Quality and Improvement in Scottish Education 2012–2016](#) (Education Scotland, 2017). The report noted that there were many strengths in the quality of provision and professional practice across all sectors of education. Learning experiences for children and young people had continually improved during the period of the report. Children and young people benefitted from positive relationships with staff and other learners. As a result, overall, HM Inspectors observed children and young people who were motivated, engaged and actively involved in their learning. More young people were having a wider range of their learning and achievements accredited through youth award schemes.

It also highlighted the distance that Scottish education had travelled since 2012 (Quality and improvement in Scottish education trends in inspection findings 2008–2011), capitalising on the wide range of reforms to achieve the national ambition of excellence and equity for all learners and to close the poverty-related attainment gap.

To continue on the improvement journey, the report noted that educators across Scotland needed to:

- exploit fully the flexibility of Curriculum for Excellence to better meet the needs of all learners;
- improve arrangements for assessment and tracking to provide personalised guidance and support throughout the learner journey;
- maximise the contribution of partnerships with other services, parents and the wider community to enhance children's and young people's learning experiences;
- improve further the use of self-evaluation and improvement approaches to ensure consistent high quality of provision;
- grow a culture of collaboration within and across establishments and services to drive innovation, sharing of practice and collective improvement.



Opportunities

The National Improvement Framework (NIF) and improvement plan for Scottish education is designed to help deliver the twin aims of excellence and equity in education. All 32 local authorities are required to submit an annual plan which focuses on six drivers that are considered essential to enabling continuous improvement and minimising unintended consequences.

The key drivers of improvement are:

- School leadership
- Teacher professionalism
- Parental engagement
- Assessment of children's progress
- School improvement
- Performance information.

Tableau is an interactive NIF resource which enables educators to access a range of national Scottish data and compare with their local authority or establishment data.

[NIF Interactive Evidence Report – Tableau Public](#)

The Scottish Government national drivers provide an opportunity for Regional Improvement Collaboratives and local authorities to re-focus on inclusion for all their children and young people. Regional and local authority plans are required to be submitted to the Scottish Government and Education Scotland for review and scrutiny. Inclusive education of all learners is the foundation of the Scottish education system; therefore, all plans should include aims and actions on how they will achieve this.

- National Improvement Framework – annual
- Scottish Attainment Challenge report – annual
- Additional Support for Learning Action Plan – anticipated this will be published every 18 months and local authorities will submit their updates to COSLA
- Regional Improvement plans – [Regional Directorate RIC plans](#).

Scottish education continues to evolve, reflect and improve and is currently engaging in a reform of the system. The recommendations from the 2020 review [Support for Learning: All our Children and All their Potential](#), the [2021 OECD review 'Scotland's Curriculum and the future'](#) and subsequent 2022 report by Professor Ken Muir, [Putting Learners at the Centre: Towards a Future Vision for Scottish Education](#), have played a critical part in the reform agenda. Curriculum for Excellence is still recognised – both here and around the world – as the right foundation for Scottish education.

It was a transformational curriculum which has been successful in producing children and young people with robust and meaningful values for the future ([Embedding Values and Attitudes in Curriculum: Shaping a Better Future, OECD](#); [Big Picture Thinking: How to educate the whole person for an interconnected world, OECD – Issuu](#)). CfE is 'here to stay' (Muir Report), but now needs to be refreshed and re-visited to reflect the world 10 years on. The education landscape has changed beyond recognition, as has the world around us.



The coronavirus (COVID-19) pandemic in particular has shone a spotlight on many of the strengths and weaknesses in the current education system.

The Scottish Government accepted the [recommendations in Professor Ken Muir's report](#) as a starting point for Education Reform. This included the creation of three new national education bodies:

- a new qualifications body;
- a new national agency for Scottish education;
- an independent inspectorate body.

These will replace the Scottish Qualifications Authority (SQA) and Education Scotland. Building on the successes within Scottish education, these bodies will reflect the culture and values to be embedded throughout the education and skills system. Future developments will be co-created with stakeholders, and the voices and participation of children and young people during this process is central.

This will be a multi-phase programme of reform covering discovery, design and delivery and transition activity, with the new national bodies going live from 2024.

This period of education reform in Scotland also provides opportunities to reflect on some of the existing governance structures and build improvements into the design and delivery of the national governance structure. It will provide opportunities to influence local authority and school community governance structures. The legislation of the UNCRC through the Scottish Parliament will be a ground-breaking event for children and young people in Scottish schools, as their rights to an inclusive education are enshrined in Scots law.

Consequences

Families of children and young people are entitled to expect that their children experience a high-quality inclusive education. Although reports and reviews have been positive about the aims and values of the inclusive Scottish education system, the experiences of many learners, families and staff do not reflect this. The current period of education reform which has been set in motion by the Scottish Government in response will have high expectations to deliver inclusive education for all learners. Lessons can be learnt over the past twenty years to ensure that existing and any new governance procedures are transparent and accountable and will support the changing world.



SECTION 5. QUALITY ASSURANCE AND ACCOUNTABILITY

This section provides information on the general and specific quality assurance and accountability frameworks and mechanisms informing the country's education system.

5.1 School inspection processes and structures for all forms of educational provision

Education Scotland, through His Majesty's Inspectors, inspects, reviews and reports on the provision made by schools and education authorities across Scotland. The inspection process includes reporting the inspection findings to the school, school community and education authority. Every school inspected is evaluated on how well it meets the needs of all children and young people in the school and how well they are engaged in learning ([CPRA – UK Scotland](#), pp. 19–20).

The inspection process includes reporting the inspection findings to the school, school community and the EA. Education Scotland contributes to a national picture of Scottish education through:

- the national performance framework reporting mechanism, 'Scotland Performs';
- the 'Improving Scottish Education' series, which provides a broad overview of Scottish education and reports on equality of provision (European Agency, [Country information](#)).

The system is built on schools' self-evaluation; sets of quality indicators are available to schools to evaluate their provision.

Education Scotland contributes to a national picture of Scottish education through the national performance framework reporting mechanism, Scotland Performs. It also does so through the Improving Scottish Education series, which both provides a broad overview of Scottish education and reports on equality of provision (European Agency, Organisation of Provision, pp. 7–8; [CPRA – UK Scotland](#), pp. 19–20).

As 32 education authorities deliver services, there are differences across the country in how services are delivered; however, quality standards and expectations are set nationally and are consistently applied by the inspectorates ([CPRA – UK Scotland](#), p. 28).

The school inspection framework document, published on 11 August 2011, covers a range of sectors, including standalone pre-school centres, primary including those with nursery classes, secondary including community learning and development (CLD) as part of secondary, and aspects of transition, special, independent and all-through schools. It also has implications for continuing engagement.

[Inspection and review: What we do](#)

Education Scotland aims to provide assurance on the quality of Scottish education and promote improvement and innovation to enhance learners' experiences and lead to



better outcomes. Its inspections also contribute to National Performance Framework reporting. The National Performance Framework underpins delivery of the Scottish Government's agenda, which supports the outcomes-based approach to performance.

[National Performance Framework](#)

Each year, it inspects and reports on the quality of education in a sample of early learning and childcare settings, primary schools, secondary schools, special schools, community learning and development services, colleges, and residential educational provision. It also inspects the education functions of local authorities.

To support improvement, inspectors focus on the quality of children and young people's learning and achievement. There is a particular interest in the development of children and young people's skills and understanding in literacy, numeracy, health and well-being which enables access to the highest possible learning within a broad general education and beyond ([CPRA – UK Scotland](#), pp. 40–41).

5.2 Other quality assurance processes for all forms of educational provision

GIRFEC well-being indicators provide a common language and measure for learners, practitioners, parents and partner agencies to jointly assess the well-being of every child and young person ([CPRA – UK Scotland](#), p. 39).

All the initiatives listed below are holistic around the well-being of the child, each one bringing in the different stakeholders and partners in early learning. Improving early learning and childcare: developing strength and resilience, with entitlement and support for vulnerable children:

- Scottish Government's interrelated policy frameworks – The Early Years Framework (2008), Equally Well (2008) and Achieving Our Potential (2008).
- The Getting It Right for Every Child (GIRFEC) approach – policy and delivery of services at national and local levels.
- Early Level of CfE (from 3 years until the end of Primary 1): promoting continuity and progression.
- The Children and Young People (Scotland) Act 2014 – strengthens early years support in children's and families' lives ([CPRA – UK Scotland](#), p. 27).

There are Standards for Leadership in the General Teaching Council for Scotland (GTCS).

Social Justice:

- Embracing locally and globally the educational and social values of sustainability, equality and justice, and recognising the rights and responsibilities of future as well as current generations.
- Committing to the principles of democracy and social justice through fair, transparent, inclusive and sustainable policies and practices in relation to: age, disability, gender and gender identity, race, ethnicity, religion and belief, and sexual orientation.



- Valuing as well as respecting social, cultural and ecological diversity and promoting the principles and practices of local and global citizenship for all learners.
- Demonstrating a commitment to engaging learners in real world issues to enhance learning experiences and outcomes, and to encourage learning our way to a better future ([Professional Standards – The General Teaching Council for Scotland](#); [CPRA – UK Scotland](#), p. 32).

The new [Work Placements Standard](#) has been co-produced by a wide variety of key groups in response to the recommendation that a modern standard should be established for the acceptable content and quality of work experience. The content and design of this new standard has been shaped by young people, employers, parents, schools and local authorities with the document setting out clear expectations for these core groups ([CPRA – UK Scotland](#), p. 49).

Scotland promotes a two-part strategy called 'Included, Engaged and Involved'. [Included, Engaged and Involved Part 1](#) includes guidance on managing attendance and absence in Scottish schools, aiming to promote good attendance. Absence from school, whatever the cause, disrupts learning. This guidance draws together advice on good practice and establishes requirements for classifying and recording attendance and absence.

Included, Engaged and Involved Part 2: A Positive Approach to Preventing and Managing School Exclusions provides guidance on managing school exclusions, with a strong focus on approaches that can be used to prevent the need for exclusion ([Preventing School Failure](#), p. 17).

5.3 Evaluation mechanisms used to monitor outcomes at different system levels

General outcomes (academic, social, well-being, etc.) for all learners

Page 14 of the [National Improvement Framework](#) outlines expectations in relation to Parental Engagement. Parental and family engagement is a key factor in helping all children achieve the highest standards while reducing inequity and closing the attainment gap. The information gathered will inform knowledge of where parental engagement is strong and where it requires further attention. This will include monitoring levels of parental engagement, involvement in, and satisfaction with, learning provision in different communities ([CPRA – UK Scotland](#), p. 18).

The Doran Strategic Commissioning Group, established in 2016, will identify mechanisms for evaluating demand for services developing approaches to ensure an appropriate range of services to meet learners' complex needs ([CPRA – UK Scotland](#), p. 23).

The Children and Young People (Scotland) Act 2014 sets out duties on a range of public bodies to report on how they are taking forward children's rights as set out in the UNCRC ([CPRA – UK Scotland](#), p. 5).

All the initiatives listed below are holistic around the well-being of the child, each one bringing in the different stakeholders and partners in early learning. Improving early



learning and childcare: developing strength and resilience, with entitlement and support for vulnerable children:

- Scottish Government's interrelated policy frameworks – The Early Years Framework (2008), Equally Well (2008) and Achieving Our Potential (2008).
- The Getting It Right for Every Child (GIRFEC) approach – policy and delivery of services at national and local levels.
- Early Level of CfE (from 3 years until the end of Primary 1): promoting continuity and progression.
- The Children and Young People (Scotland) Act 2014 – strengthens early years support in children's and families' lives ([CPRA – UK Scotland](#), p. 27).

Specific outcomes (academic, social, well-being, etc.) for learners vulnerable to exclusion

Each year, Scottish ministers collect information from each education authority (EA) on:

- the number of learners with additional support needs for whose school education the authority is responsible;
- the principal factors giving rise to the additional support needs of those learners;
- the types of support provided to those learners;
- the cost of providing that support.

Scottish ministers must publish the information collected each year (European Agency, [Country information](#)).

Outcomes for schools (professional development, staff and personal well-being, etc.)

Since 2012, the General Teaching Council for Scotland [Professional Standards](#) for initial teacher education, teacher registration, and leadership and management have included a set of values aligned to social justice. The standards expect career-long professional learning in inclusive education for all teachers. Refreshed Professional Standards for teachers launched on 13 January 2021 and were enacted on 2 August 2021 (European Agency, [Country information](#)).

Annual report to parliament: an important aspect of the annual reports is sharing examples/features of effective practice which have an important role in raising awareness of expectations. The requirement to report annually was built into the ASL legislation ([CPRA – UK Scotland](#), p. 14).

Since 1996, 'How good is our school?' (HGIOS) has become a nationally and internationally recognised brand, which underpins effective self-evaluation as the starting point for school improvement. How good is our school? Provides a suite of quality indicators that support staff in all sectors to look inwards, to scrutinise their work and evaluate what is working well for learners and what could be better. It is a key aspect of the Scottish approach to school improvement. The framework is designed to be used to support self-evaluation and reflection by practitioners at all levels.



Quality Indicators in HGIOS 4 relevant to evaluating the effectiveness and quality in inclusive education include:

- 2.1 Safeguarding and child protection
- 2.4 Personalised support
- 1.5 Management of resources to promote equity
- 2.5 Family learning
- 2.6 Transitions
- 2.7 Partnerships
- 3.1 Improving well-being, equality and inclusion
- 3.2 Raising attainment and achievement ([CPRA – UK Scotland](#), pp. 20–21).

There is summary analysis of the evaluations of the first post-baseline sample of pre-school centres and schools (primary, secondary, all-through and special) in relation to the three Reference Quality Indicators which inform National Indicators in the National Performance Framework ([Summary Reference Quality Indicator Evaluations; CPRA – UK Scotland](#), p. 40).

The Standards for Initial Teacher Education (SITE) are published by the General Teaching Council for Scotland (GTCS) and contain many elements that are directly relevant to the development of teachers to work in inclusive schools (Teacher Education for Inclusion [country report](#): UK (Scotland), p. 1).

The [Standards for Career-long Professional Learning](#) contribute to professional update that every teacher has to undertake every five years ([CPRA – UK Scotland](#), p. 45).

Revised national guidance on Professional Review and Development was published in 2014. It extends previous guidance, Professional Review and Development (2003) in recognition of the changing priorities within Scottish education and the recommendations from the Teaching Scotland's Future report (2011).

The guidance was developed by a National Steering Group which had wide representation, including professional associations, local authorities and GTCS. The aim is to ensure that professional review and development is an on-going process which takes place within a supportive, challenging and collegiate culture, and is a positive and professional experience.

It is recognised that it is both an entitlement and the responsibility of all teachers to engage in professional review and development (TPL4I [Policy Mapping Grid](#), p. 26).

Outcomes for parents and families (support, participation, family well-being, etc.)

HGIOS 4 quality indicators outline expectations related to parental engagement ([CPRA – UK Scotland](#), pp. 20–23).



5.4 Evaluation mechanisms used to monitor the effectiveness of processes at different system levels

Effectiveness of teaching and learning processes

School reports from the Inspectorate consider wider achievements; inspectors carry out some inspections across schools and communities and include an evaluation of wider achievements. Currently, this relates to HGIOS 3 Quality Indicator 2.1 – Improvement in Performance, and in [HGIOS 4](#) to Quality Indicator 3.2 – Raising attainment and achievement ([CPRA – UK Scotland](#), p. 22).

Effectiveness of school management processes

No information.

Effectiveness of teacher professional development processes

The Scottish Attainment Challenge promotes the use of collaborative enquiry to support research-based improvement. The GTS sets out expectations for teachers to use research to inform their career-long professional learning ([CPRA – UK Scotland](#), p. 23).

Efficiency and effectiveness of funding mechanisms

Reports to parliament include an overall figure for the cost of support ([CPRA – UK Scotland](#), p. 24).

Every year, local authorities publish their abstracts of accounts, and parents are entitled to a copy. Parents can also see the reports and minutes of meetings detailing the breakdown of the education budget (European Agency, [Country information](#)).

Effectiveness of (vertical) co-operation between stakeholders at different system levels

It has been recognised that to achieve systems change, wide representation across different levels of the system is needed, together with strong leadership. This is achieved through the use of Programme Boards (e.g. those for equalities, health and inclusion) which are facilitated by civil servants and chaired by stakeholders. National action plans are agreed by stakeholders, and presented to ministers by civil servants for comment and agreement.

Effectiveness of (horizontal) co-operation between ministries and ministerial departments

GIRFEC expectations, as specified in the Children and Young People (Scotland) Act 2014, apply across health, education, police and social services ([CPRA – UK Scotland](#), p. 22).

Programme boards which have intersectionality with ministers' portfolios co-operate and share information. For example, the work on equalities across different protected characteristics includes Minister for Equalities and Minister for Education, and Minister for Education and Minister for Justice.



5.5 Specific monitoring mechanisms relating to learners vulnerable to exclusion from inclusive education

Education (Scotland) Act 2016 placed duties on education authorities to plan and report their strategic decisions in relation to socio-economic disadvantage.

Scottish ministers must publish the information collected each year. This annual report, called 'Implementation of The Education (Additional Support for Learning) (Scotland) Act 2004 (as amended): Report to Parliament' has become a very useful milestone in further improving provision.

Scottish ministers collect information from each education authority on:

- the number of children and young persons with additional support needs for whose school education the authority is responsible;
- the principal factors giving rise to the additional support needs of those children and young persons;
- the types of support provided to those children and young persons
- the cost of providing that support (European Agency, Organisation of Provision, p. 7).

The strategic review of learning provision for children and young people with complex additional support needs (Doran Review) was commissioned in 2010. The final report 'The Right Help at the Right Time and Right Place', published in November 2012, provides a set of recommendations aimed at providing better outcomes and experiences for children and young people with complex additional support needs.

The Scottish Government has published five reports to parliament on aspects of additional support. Diversity and equality have featured as examples of good practice nationally. In every inspection, schools are asked to self-evaluate and offer their response to the questions 'How well do you promote inclusion and diversity? How successfully do you address equality?'

Education Scotland has set up an Inclusion Team and given a clearer focus to Inclusion and Equalities through its webpages ([CPRA – UK Scotland](#), pp. 21–22).

Scotland also monitors impact and uses evidence to plan an improvement agenda. Smarter data collection and use will allow for robust prioritisation, decision-making and improvement planning. National data evidence drives policy change and allows for funding to be targeted to areas with the greatest need.

For example, in an operational context, Glasgow's Improvement Challenge prioritises, among other things:

- supporting families to be better able to support their child's learning and development;
- enhancing the leadership of staff at all levels;



- raising attainment in secondary schools by providing additional supported study and mentoring with a continued focus on improving learning and teaching ([Preventing School Failure](#), p. 52).

Schools are required to publish standards and quality reports – their own annual self-evaluation reports to parents. Most schools will engage with parents and also survey their views. This is in line with the Standards in Scottish Schools Act, 2000.

His Highness' Inspectors of Education inspect equalities and inclusion, together with performance and leadership (see HIGIOS?4). A collation of the outcomes from inspections is provided each year for public consumption.

5.6 Specific evaluation mechanisms relating to learners vulnerable to exclusion from inclusive education

No information.

5.7 Specific accountability mechanisms to ensure the inclusion of learners vulnerable to exclusion from inclusive education

No information.

Evaluative commentary

This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of quality assurance and accountability for inclusive education in practice. It specifically considers the implications of how different stakeholders across the education system are accountable for ensuring the effective implementation of policy for inclusive education in practice.

Challenges

A challenge for families, children and young people is knowing where to find information on their entitlements to a high-quality inclusive education, and who is accountable if this is not their experience. A range of communication methods are required to ensure that national and local authority information is always updated and publicly available on Curriculum of Excellence, well-being supports available and the ASL process, including mediation and redress.

A challenge for educational professionals at all levels is ensuring they have access to high-quality professional learning opportunities where inclusive education is core.

All educational professionals in Scottish early learning and childcare settings, schools and local authorities have a responsibility to support inclusive education for children and young people. Most will belong to a professional body with criteria for professional standards and qualifications; for example, [General Teaching Council for Scotland](#) (GTCS). Professional bodies also have frameworks which set out their vision and values, skills and knowledge. This would apply to teachers, community learning and development early year



practitioners and educational psychologists. However, one workforce which provides valuable, direct support to children and young people are pupil support staff (a generic term for support for learning assistants) and they do not have a professional body in Scotland to provide quality assurance. Professional Learning for pupil support staff is being developed as a result of the Morgan Review and is described in the next section.

Opportunities

The ASL action plan includes a refresh of information, guidance and professional learning on the ASL process and planning aimed at all stakeholders – families, children and young people, educators, social services and health.

[Additional Support for Learning review: action plan – November 2022 update](#)

Inclusion, well-being and equalities now form part of Education Scotland’s National professional learning and leadership programmes – Stepping Stones, Middle leadership, and Into Headship.

The Scottish Government provides funding for a range of organisations who provide free support, information and advocacy to families, young people and professionals on inclusion and additional support needed. They can be contacted through helplines and email:

- [Enquire – The Scottish advice service for additional support for learning](#)
- [Reach](#) – a website for children and young people with additional support needs
- [My Rights, My Say](#).

The HMI inspection model was paused during the COVID-19 pandemic but has begun again and establishments are once again participating in an evaluative process for improvement (See HIGIOS⁴ and inspection Reports).

Education Scotland led on a Scottish Government-funded Pupil Support Staff engagement programme between October 2022 and February 2023. The aims were to explore with the workforce a collaboratively agreed vision and values, skills framework and professional accreditation and registration. The programme was evaluated in spring 2023 and a report shared with the Scottish Government.

[Pupil Support Staff Engagement Programme 2022–2023](#)

Consequences

Relationships are at the heart of Scottish education. Ensuring a transparency of accountability is vital if families and their children are to feel supported by local authorities and early learning centres and schools.

Education professionals are required to meet their professional standards and duties, and families, children and young people are entitled to expect that these will be met. If they are not met, faith in the system will be reduced, as highlighted in the 2020 Angela Morgan review.



SECTION 6. STAKEHOLDER COLLABORATION, CO-OPERATION AND EFFECTIVE COMMUNICATION

This section provides information on the structures, mechanisms and opportunities for stakeholder collaboration and co-operation in the country.

6.1 Does the legislation and policy framework specify learner voices are used to inform the development of learning and teaching environments?

Yes.

6.1a Description of the legislation and policy framework around the use of learner voice

The Education (Scotland) Act 2016 includes provisions which extend the rights of children aged 12 and over with capacity under the Additional Support for Learning Act. Children who are able to are encouraged to use their rights on their own behalf to affect decision-making about them.

[Education \(Scotland\) Act 2016](#)

Section 35 of the 2000 Act: Parents', children's and young people's views should be taken into account when it comes to the issue of school placement and there remains an element of choice in provision (European Agency, Organisation of Provision, p. 7; [CPRA – UK Scotland](#), p. 30).

All children and young people should be involved in planning and reflecting on their own learning, through formative assessment, self- and peer-evaluation, and personal learning planning. Information is available for parents and carers.

[How schools plan additional support – Types of plan](#)

Every year, local authorities have to publish their abstracts of accounts, and parents are entitled to a copy. Parents can also see the reports and minutes of meetings detailing the breakdown of the education budget (European Agency, Organisation of Provision example, p. 3). Council meetings are also in the public domain, as are committee reports.

Schools are required to publish standards and quality reports – their own annual self-evaluation reports to parents. Most schools will engage with parents and also survey their views. This is in line with the Standards in Scottish Schools Act, 2000.

The [School Handbook](#) is only one part of parental engagement and, as highlighted in the public consultation findings, parents and carers need to be informed about key aspects of their child's learning journey on an on-going basis so that they can fully support the school and their child's learning. The new School Handbook also fits in with the provisions for parental involvement as defined in the Scottish Schools (Parental Involvement) Act 2006 ('the 2006 Act') ([CPRA – UK Scotland](#), p. 23).



Learners' voice and their participation in their learning are expected to have a greater influence in the life of the school. Nationally, Education Scotland organise events for young people to engage as a group on curriculum developments, provision about diversity and equality, and provision for deaf learners ([CPRA – UK Scotland](#), p. 35).

In 2015, Education Scotland managed and facilitated a Scottish Government-funded Ambassadors for Inclusion programme. All 32 education authorities were invited to nominate a young person to share their views on inclusive practices and to develop resources.

[‘Ask Us, Hear Us, Include Us’ – A film by the Young Ambassadors for Inclusion](#)

The Young Ambassadors for Inclusion are now managed by Children in Scotland and contribute to the development of education policy.

[Children in Scotland](#)

Guidance to support learner participation was initially developed in response to research that was commissioned by the Children and Young People's Commissioner Scotland and carried out by the University of Stirling. This demonstrated that schools who were performing higher than expected in attainment had a strong focus on learner participation. The guidance includes support materials to help schools and early years settings develop an understanding of learner participation and plan for implementation within their setting.

[Learner Participation in Educational Settings \(3–18\)](#)

A range of guides and toolkits have been created to help stakeholders understand the link between schools and their industry partners. These resources offer information that will ensure all young people have the opportunity to experience the world of work.

[Work placements and work-related learning](#)

6.2 Does the legislation and policy framework ensure curriculum development processes take account of all learners and their communities?

Yes.

6.2a Description of how the legislation and policy framework around curriculum development processes take account of all learners and their communities

Education Scotland is a Scottish Government executive agency charged with supporting quality and improvement in Scottish education. It secures the delivery of better learning experiences and outcomes for Scottish learners of all ages. Education Scotland's support for inclusive education at the school, local and regional levels to reduce and prevent school failure includes professional learning and coaching sessions for regional practitioners. These aim to promote equality and diversity of opportunities and improved educational outcomes for learners, with a focus on care-experienced, young carers, anti-sectarian (religion), race, Gypsy/Travellers, English as an additional language, disability and gender ([Preventing School Failure](#), p. 51).



The overall aim of the curriculum is for children and young people to achieve the four capacities: successful learners, effective contributors, responsible citizens and confident individuals (Building the Curriculum 3).

[Building the Curriculum for Excellence](#)

Scotland aims to build the curriculum, learning and support around the child and offer a responsive system aiming to get it right for every child.

[Getting it right for every child \(GIRFEC\)](#)

The provision made is guided by [statutory guidance](#) on additional support for learning ([CPRA – UK Scotland](#), p. 31).

Personalised learning and support involves the learners' participation on what needs to be done to improve their learning – this is policy as detailed in Building the Curriculum

The new curriculum for Scottish schools, 'Curriculum for Excellence', is informed by the inclusive principles embedded in relevant legislation such as the Additional Support for Learning Act (Teacher Education for Inclusion [country report](#): UK (Scotland), p. 1; [CPRA – UK Scotland](#), p. 30).

[What is Curriculum for Excellence?](#)

The Education (Disability Strategies and Pupils' Educational Records) Act 2002 requires that an education authority has an accessibility strategy. The strategy covers a three-year period and sets out how the authority will improve:

- access to the curriculum for learners with disabilities;
- physical access for learners with disabilities;
- information normally provided in writing for learners with disabilities (European Agency, Organisation of Provision, p. 2; [CPRA – UK Scotland](#), p. 10).

The Improving educational outcomes for children and young people from travelling cultures guidance (2018) supports Gypsy/Traveller learners and their families to engage in school education to improve their life outcomes ([Preventing School Failure](#), p. 36).

6.3 Does the legislation and policy framework support the active involvement of different stakeholders in ensuring inclusive learning environments?

Parents and families

Yes.

[How good is our school? \(HGIOS 4\)](#) promotes partnership, collaboration and self-improvement:

Meeting the wide-ranging needs of all children, young people and their families is the heart of what makes an excellent school. Schools cannot achieve this by themselves. As noted in the Building the Curriculum series, strong, effective partnerships at local and national level are the key to future



improvement in Scottish education. This edition of How good is our school? supports you to evaluate the impact of your partnership-working and collaborative activity. You will have a range of partners such as the third sector, youth workers, community learning and development staff, colleges, universities and employers who work with you to deliver learning pathways to meet the needs of all children and young people. Other partners with specialist expertise in additional support needs will also work alongside you to remove barriers to learning and ensure all children and young people experience success in school and beyond school ([CPRA – UK Scotland](#), p. 9).

The [Scottish Schools \(Parental Involvement\) Act 2006](#) places a responsibility on local authorities to improve parental involvement in three ways: learning at home, home/school partnerships and parental representation.

The Scottish Government's aspiration for children and young people is clear: for Scotland to be the best place in the world to grow up. The [National Parenting Strategy](#) seeks to turn that aspiration into practical action – by championing the importance of parents to Scottish society, by strengthening the support on offer to parents, and by making it easier to access that support. Put simply, by helping the nation's parents to be the very best they can be to make a positive difference to children and young people.

The statutory guidance for implementation of the ASL Act includes specific information on involving children and families ([CPRA – UK Scotland](#), p. 9).

Education establishments are encouraged and supported to engage with parents. The role of parents as partners in their child's education is a key aim of Curriculum for Excellence.

[Getting involved – Parent Zone](#)

Parents are key partners within the National Improvement Framework: Parental and family engagement is a key factor in helping all children achieve the highest standards while reducing inequity and closing the attainment gap. The information gathered will inform knowledge of where parental engagement is strong and where it requires further attention. This will include monitoring levels of parental engagement, involvement in, and satisfaction with, learning provision in different communities ([CPRA – UK Scotland](#), p. 18).

Greater guidance is offered through the [Parentzone](#) website, as well as Enquire, a nationally funded independent advice service. Enquire provides a [parents' guide](#) to additional support for learning and provides a helpline which links to other organisations providing specialist services ([CPRA – UK Scotland](#), p. 26).

Improving the voice of young people

Learner engagement is a key principle which lies at the heart of Scotland's Curriculum for Excellence.

[National Improvement Framework and Improvement Plan 2020: summary](#)

School-leaders/leadership teams, teachers and specialist staff

Yes.

A successful approach here was the *Schools Improvement Partnership Programme* The Robert Owen centre at Glasgow University linked with Education Scotland and authorities



in schools in partnerships to develop collaborative enquiry towards leadership, teaching and working together ([CPRA – UK Scotland](#), p. 23). This is now replaced by programmes provided by Education Scotland’s National [Professional Leadership and Learning Team](#).

There are Standards for Leadership in the General Teaching Council for Scotland (GTCS).

Social Justice:

- Embracing locally and globally the educational and social values of sustainability, equality and justice, and recognising the rights and responsibilities of future as well as current generations.
- Committing to the principles of democracy and social justice through fair, transparent, inclusive and sustainable policies and practices in relation to: age, disability, gender and gender identity, race, ethnicity, religion and belief and sexual orientation.
- Valuing as well as respecting social, cultural and ecological diversity and promoting the principles and practices of local and global citizenship for all learners.
- Demonstrating a commitment to engaging learners in real-world issues to enhance learning experiences and outcomes, and to encourage learning our way to a better future (GTCS professional standards for leadership and management; [CPRA – UK Scotland](#), p. 32).

Stakeholders in the local communities

Yes.

See the information on [How Good is Our School 4](#) in the Parents and families section above.

Curriculum for Excellence defines the life and ethos of the school as one of the four contexts for learning. There is also an emphasis on citizenship skills as defined in the skills, attitudes and capacities, which requires learner engagement and participation in the school and community ([CPRA – UK Scotland](#), p. 35).

Local-level decision-/policy-makers

Yes.

See the information on [How Good is Our School 4](#) in the Parents and families section above.

Non-governmental organisations, disabled people’s organisations or other organisations representing vulnerable groups

Yes.

Schools are encouraged to work with partners to promote more effective learning and also more effective support: [Building the Curriculum 3](#) and [CfE Briefing 10](#) ([CPRA – UK Scotland](#), p. 19).



Other(s)

Colleges, universities, employers

Colleges have developed their work in conjunction with other national initiatives, such as Skills for Scotland, 16+ Learning Choices and Curriculum for Excellence (European Agency, Organisation of Provision, p. 8).

Schools develop their approaches in the Senior Phase of the secondary school (aged 15 years onwards) and extend the range of experiences at this stage including work placements. Building the Curriculum 3 makes clear that the senior phase can only be successfully delivered in partnership between schools, colleges and employers in the locality.

[A summary of Developing the Young Workforce \(DYW\) resources](#)

[Virtual Work Placements Guidance](#)

[Developing the Young Workforce – School/Employer Partnerships \(September 2015\)](#)

expects education and employers to work closely together to equip all young people with the skills and knowledge they will need to flourish in work, and to support diversity in the workforce. This [Guidance for School/Employer Partnerships](#) is intended to support the aim of meaningful and productive school–employer partnerships operating in all secondary schools by 2018/19, although it also applies to primary schools and early years. These partnerships should build on good practice and existing links with employers. They should bring mutual benefit and evolve to respond to local circumstances ([CPRA – UK Scotland](#), pp. 47–48).

Foundation Apprenticeships continue to be developed to create better links between young people, education and employers and to better prepare young people for the world of work. [Foundation Apprenticeships: Skills Development Scotland](#) lasts for two years and is studied alongside other school subjects (typically National 5s and Highers). Starting in fourth or fifth year, learners get the opportunity to complete elements of a Modern Apprenticeship while still in full-time education. Upon successful completion of a Foundation Apprenticeship, young people can continue their studies at college or university, go into direct employment, or gain accelerated entry onto a related [Modern Apprenticeship](#) ([CPRA – UK Scotland](#), p. 48).

Qualifications and assessment processes are currently being reviewed by an independent review body as a result of the recommendations from the OECD. This will redefine qualifications, hopefully making them more inclusive with more choice.

6.4 Does the legislation and policy framework ensure that curriculum development processes involve the participation and contribution of different stakeholders?

Yes.



6.4a Description of the legislation and policy framework ensuring the involvement of stakeholders in curriculum development processes

Curriculum for Excellence provides a framework which supports a personalised approach to learning. It recognises that all learners should be active participants at the centre of all planning, learning, teaching and assessment. Within Curriculum for Excellence (CfE), the focus is on partnership delivery in and out of school and supporting collaboration with employers, local partners and other agencies to deliver the entitlements within CfE.

[Building the Curriculum 3](#)

Curriculum for Excellence can best be delivered through partnership working. All establishments should work with partners and share a common understanding and language around skills development and application. Together, they should plan and deliver learning and other experiences which meet the needs of individual children and young people ([Building the Curriculum 4](#); [CPRA – UK Scotland](#), p. 8).

Schools develop their approaches in the Senior Phase of the secondary school (aged 15 years onwards) and extend the range of experiences at this stage including work placements. Building the Curriculum 3 makes clear that the senior phase can only be successfully delivered in partnership between schools, colleges and employers in the locality.

[A summary of Developing the Young Workforce \(DYW\) resources](#)

Developing the Young Workforce School/Employer Partnerships Guidance for schools September 2015: This [Guidance for School/Employer Partnerships](#) is intended to support the aim of meaningful and productive school–employer partnerships operating in all secondary schools by 2018/19, although it also applies to primary schools and early years. These partnerships should build on good practice and existing links with employers. They should bring mutual benefit and evolve to respond to local circumstances.

The current review of the Curriculum for Excellence has an added focus on inclusion and equalities, with social justice at the heart of any new work being undertaken by the implementation groups taking forward the OECD recommendations ([CPRA – UK Scotland](#), pp. 47–48).

6.5 Does the legislation and policy framework support the development of learning communities in local/regional areas?

Yes.

6.5a Description of the legislation and policy framework that supports the development of learning communities

Professional learning communities for professionals have been developed and support parental involvement and family learning. GLOW blogs have also been developed for practitioners ([CPRA – UK Scotland](#), p. 19).



Evaluative commentary

This section provides a qualified, evidenced-based reflection on the **challenges, opportunities and consequences** of stakeholder collaboration, co-operation and effective communication for the implementation of inclusive education in practice. It specifically considers how effectively different stakeholders across the education system are supported to increase their personal and collective ability to be inclusive in practice.

Challenges

Relationships are at the heart of Scottish education, and the 2020 Angela Morgan review was critical that not all families, children and young people feel included.

Curriculum for Excellence intended to provide a framework which supports parental involvement and a personalised approach to learning. It recognises that all learners should be active participants at the centre of all planning, learning, teaching and assessment. Within Curriculum for Excellence (CfE) the focus is on partnership delivery in and out of school and supporting collaboration with employers, local partners and other agencies to deliver the entitlements within CfE ([Building the Curriculum 3](#)).

The challenge for Scottish education is to find a way to embed these principles into practice, ensuring consistency of approach across Scotland. Ensuring those with lived experiences of additional support and disability are supported to shape practice, policy and the collaborative development of resources which support inclusive education. Using a service design approach to implementing the recommendations from the OECD review will ensure that all stakeholders are involved in developing the refresh and visioning. Currently, a number of workstreams with key stakeholders are investigating a range of topics such as profiling achievement, learner pathways and Inter-disciplinary learning. All of these workstreams include representatives from vulnerable groups, IWE and Curriculum Innovation officers from Education Scotland, and a range of practitioners from the mainstream and additional support needs sectors.

Opportunities

The **National Improvement Framework (NIF)** and improvement plan for Scottish education is designed to help deliver the twin aims of excellence and equity in education. All 32 local authorities are required to submit an annual plan which focuses on six drivers that are considered essential to enabling continuous improvement and minimising unintended consequences. One of which is parental engagement.

Local authorities and establishments can access a range of resources and professional learning opportunities which will support them to improve through learner participation.

[How good is OUR school? Self-evaluation](#)

The education reform and national conversation is actively engaging with a wide range of stakeholders to enable them to share their vision and suggestions for reform.

[National Discussion on education](#)



Consequences

If the opportunities to engage in the national discussion are maximised by stakeholders, their participation will provide meaningful contributions to the future of Scottish education.

The Scottish Government, Education Scotland, local authorities, early learning centres and schools are required to facilitate and promote stakeholder engagement in their planning and policy development. It is vital that the totality of the curriculum and support required is developed 'with' and not 'for' children and young people if Scotland is to continue the development and improvement of inclusive education.



SECTION 7. FINAL COMMENTS AND REFLECTIONS

As a result of a number of independent reviews related to the **Curriculum**, ([OECD, Scotland's Curriculum for Excellence: Into the Future](#)), **Inclusion** ([Review of additional support for learning implementation: report](#)), **The Promise** ([Independent Care Review Scotland](#)) and **Assessment and Qualifications** ([Professor Hayward's Independent Review of Qualifications and Assessment – public consultation](#)), Scotland is in an exciting period of reform. Building on best practice commended in national and international appraisals, and a robust legislative and policy context, Scotland has an opportunity to further refine and develop practice to match the ambition of the legislation and policy drivers. The vision, values and aims continue to be valid and important: **to provide excellence and equity for all**. The way in which we achieve this will reflect the recommendations from the expert bodies above, but importantly children and young people will be at the centre, together with those with 'lived experience', practitioners and other stakeholders in a genuine and meaningful partnership.