
NORTH AYRSHIRE COUNCIL

23 January 2018

Cabinet

Title: **Consultation on Excellence and Equity for All: Guidance on the Presumption of Mainstreaming**

Purpose: Seek Cabinet approval for North Ayrshire Council's response to the Scottish Governments Consultation on guidance related to the Presumption of Mainstreaming.

Recommendation: Agree the Consultation response and ask the Executive Director to submit the agreed report to the Scottish Government.

1. Executive Summary

- 1.1 The guidance aims to present a vision for mainstreaming and is informed by best practice evidence related to inclusive education. The paper sets out the Scottish Government's vision for inclusion: "Inclusion is the cornerstone to help us achieve equity and excellence in education for all of our children and young people".
- 1.2 The vision is congruent with North Ayrshire policy and practice. The vision is underpinned by four key principles, all of which align with the Authority's inclusive approaches to education and service delivery.
- 1.3 Generally the guidance is clear and will only serve to strengthen existing Authority approaches. The guidance, however, does introduce new language and should better recognise the impact other agencies have on meeting children's needs, staff and parental expectations. In general, the guidance needs to reflect more on how high quality learning and teaching impacts on inclusion and outcomes.

2. Background

- 2.1 The Scottish Government published a consultation document in November 2017 seeking views from all interested parties by February 2018 on its proposed Guidance on the 'Presumption of Mainstreaming'.
- 2.2 The consultation document reflects a range of Policy Ambitions from the Scottish Government which it hopes will improve equity and excellence in Scottish education.

3. Proposals

- 3.1 It is proposed that North Ayrshire Council submit a response to the consultation as outlined in Appendix 1.

4. Implications

- 4.1 Any finalised guidance should have limited impact on existing good practice in North Ayrshire.

Financial:	N/A
Human Resources:	N/A
Legal:	N/A
Equality:	Supports current Council priorities.
Children and Young People:	N/A
Environmental & Sustainability:	N/A
Key Priorities:	Council Priorities: <ul style="list-style-type: none">• Working together to develop stronger communities.• Ensuring people have the right skills for learning, life and work. Supporting all of our people to stay safe, healthy and active.
Community Benefits:	N/A

5. Consultation

- 5.1 This response was constructed following consultation with key partners and a staff focus group.



John Butcher
Executive Director

For further information please contact John Butcher, Executive Director on 01294 324411.

Background Papers

None

Consultation on Excellence and Equity for All: Guidance on the Presumption of Mainstreaming

Response: North Ayrshire Council – January 2018

The guidance aims to present a vision for mainstreaming and is informed by best evidence of inclusive practice. It is out for consultation until 9 February 2018, and is **non-statutory**.

- 1) The introduction sets out the key purpose of the document:
 - Vision for inclusive education in Scotland.
 - Key principles underpinning inclusive guidance.
 - Summary of key legislative and policy milestones.

The paper sets out a vision for inclusion, this states that “Inclusion is the cornerstone to help us achieve equity and excellence in education for all of our children and young people”.

Comment:

The vision is congruent with North Ayrshire policy and practice, as set out in the Education and Youth Employment Inclusion Strategy, and underpinned by the Children Service’s Plan and Fair for All Strategy. North Ayrshire Council will take cognisance of the final guidance, but it is not envisaged that it will change current practice substantially.

- 2) The following key principles are set out by the document. It must help to:
 - improve outcomes and support the delivery of excellence and equity for all children and young people
 - meet the needs of all children and young people
 - support and empower children and young people, parents and carers, teachers, practitioners and communities
 - outline an inclusive approach which identifies and addresses barriers to learning for all children

Comment:

North Ayrshire’s current approach to inclusion is closely aligned to these principles, for instance we have a strong emphasis on partnership working including listening and responding to the views of children and young people when assessing and planning to meet needs. Our capital plan is firmly focused on reducing barriers to learning caused by the physical environment. We have a range of supports to develop teacher confidence and capacity to meet need.

- 3) The document sets out 4 key features of inclusion used to set expectations and evaluate children and young people’s inclusion in their learning environment.

These are:

- Present
- Participating
- Achieving
- Supported

Comment:

We will be making a case through the consultation process that these features need a clearer link back to the language of Curriculum for Excellence and Wellbeing Indicators. In its current format, the introduction of new language will lead to potential confusion for multi-agency partners.

PRESENT

Key expectations:

- **All** children and young people will be entitled to receive a full time education in a school which best suits their needs.
- **All** children and young people should be fully engaged in the life of their school, through the inclusive ethos, culture and values of the school.

North Ayrshire Council are already supporting these aspirations in a range of ways:

- Training and development work being done to ensure our establishments are nurturing and promote positive relationships
- Providing support and guidance to children and families to maintain excellent attendance (new policy approach- “Every School Day Counts” due for publication Feb 2018)
- Our quality improvement framework has clear focus on QI 3.1, Equity, wellbeing and Inclusion
- A range of work to support an Inclusive ethos, for example, Respect Me Anti-Bullying, Dyslexia training

North Ayrshire Council has no objection to supporting the expectations outlined under the heading – **Present**.

PARTICIPATING

Key expectations:

- **All** children and young people should have their voices heard in decisions about their education. This includes decisions on where they are placed
- **All** children and young people should have access to an excellent education
- **All** children and young people will have the opportunity to participate and engage as fully as possible in all aspects of school life, including school trips and extracurricular activity

In North Ayrshire, we are supporting these via:

- Focus in our Quality Improvement Framework on children’s views
- Focus in individualised planning on the views of the child
- Ensuring that children and young people’s views are at the centre of decision making

North Ayrshire Council has no objection to supporting the aspirations outlined under the heading – **Participation**.

ACHIEVING

Key expectations:

- **All** children and young people should be achieving to their full potential
- **All** children and young people should have access to a varied curriculum tailored to meet their needs

Comment:

In North Ayrshire, we are addressing this through our delivery of our children's services plan and through delivery of the curriculum. North Ayrshire Council believes that final guidance must be broadened to include more focus on quality learning and teaching for children and young people. In North Ayrshire, our ASN campus will have a role in supporting high quality learning and teaching for all and developing further our inclusive approaches.

SUPPORTED

Key expectations:

- **All** children and young people should be supported to overcome barriers to learning and achieve their full potential
- **All** children and young people should be given the right help, at the right time, from the right people, to support their wellbeing in the right place

In North Ayrshire these are being addressed by:

- Having a clear assessment and planning framework based on North Ayrshire's staged intervention approach
- Working with partner agencies as part of a team around the child approach
- Using alternative curriculum approaches for identified children and young people,
- Robust consideration of personalised learning pathways through our inclusion group

North Ayrshire Council is fully supportive of the key aspirations in the section headed – **Supported**.

Deciding on the Right Provision for a Child or Young Person

This section outlines 3 options for provision for children and young people. Mainstream, Special and Flexible Provision.

Comment:

North Ayrshire Council already make appropriate use of all 3 pathways, and have augmented our range of support in the last 2 years, with the addition of the Astra Base, which caters for young people with communication disorders. We are currently reviewing our Education Support Bases (ESB) to ensure the provision is as flexible and inclusive as it can be whilst supporting the best outcomes for children and young people.

EXEMPTIONS

The guidance outlines criteria which can be used to justify specialist provision. The 3 exemptions for the presumption of mainstreaming are as follows:

- a) would not be suited to the **ability or aptitude** of the child;
- (b) would be incompatible with the provision of **efficient education** for the children with whom the child would be educated; or
- (c) would result in **unreasonable public expenditure** being incurred which would not ordinarily be incurred and it shall be presumed that those circumstances arise only exceptionally.

These 3 exemptions and a set of questions have been proposed, as part of the guidance.

In North Ayrshire, our current inclusion policy includes consideration of these 3 questions. The authority provides some standardised guidance to ensure unity of approach. North Ayrshire Council therefore supports this position in any finalised guidance.

A Delivering Inclusion Section sets out 8 key areas:

- Inclusive school values and ethos
- Leadership
- Constructive challenge to attitudes
- Evaluation of planning process
- Capacity to deliver inclusion
- Parental and carer engagement
- Early intervention, prevention and strong relationships
- Removal of barriers to learning

Comment:

While all of these are valid, this section needs substantially added to and should be given greater emphasis in the guidance, through moving it to earlier in the paper. Key aspects of Scottish Education are not given enough emphasis. North Ayrshire Council would therefore suggest that the following points are given consideration before any final guidance is constructed.

Overall

- Education cannot in itself address exclusion, and it needs to have the support of partner agencies and continue to have a shared vision- the current guidance does not give due emphasis to this.
- Overall the guidance does not significantly, as currently outlined, provide or support a clear vision of inclusion.
- The exemptions section requires revision to take account of the significant positive benefits for all children on Inclusion.
- The questions regarding ability/aptitude and efficient education need to promote reflection beyond the individual level of need, and recognise that schools and local authorities aim to achieve a balance in school placement for children and young

people which prioritises need; recognises the duty of fairness in local government; and that must make decisions which take account of 'collective' needs as well as those of individuals

- Overall, the greatest focus in the paper is on the exemptions, and there is a greater focus now on the impact on other children. There is a very mixed evidence on this and most of the research evidence suggests that inclusion impacts positively on attainment, and has positive benefits overall
- There should be more focus on providing high quality learning and teaching, and personalising and adjusting this.
- The eight key areas for delivering inclusion need to be more aligned with other government approaches, CfE, HGIOS 4, GIRFEC, and the NIF.
- More emphasis needs to be placed on inclusive pedagogy and self-evaluation.

In conclusion, North Ayrshire Council generally welcomes this guidance, however, asks that points made in this response are fully considered before any final guidance is issued.