

Learning Disabilities, Autism and Neurodivergence Bill: consultation

Connect is a long-standing independent parents' organisation and the only Scottish charity which is dedicated to supporting parental engagement in education. We provide membership services to Parent Councils and PTAs, as well as offering advice and information to individual parents/carers about any aspect of the education of their child or the wider education system.

We support education professionals in developing their skills and understanding around effective partnership working with families and the wider community through online professional learning via the Connect Family Engagement Academy. Our evidence-based approaches reflect both the recognised significant role of families in the learning of their children and young people, and the stated policies and legislation which pertain in Scotland.

We welcome the opportunity to comment on the Scottish Government's Learning Disabilities, Autism and Neurodivergence Bill consultation. We have focused our response on the elements of the consultation most relevant to Connect and parental and family engagement in children's learning and school lives.

Restraint and Seclusion

We agree with the consultation document that any changes to guidance for and reporting of restraint and seclusion in schools should apply to all children and young people, not just those who would come under the proposed Bill.

Connect has previously commented on [Daniel Johnson MSP's Members Bill consultation](#) on physical intervention, where we supported putting guidance on restraint for schools on a statutory basis and a requirement for training for school staff. We have also commented on the [Scottish Government's draft guidance for schools](#), and we would like to restate that it is vital that guidance on restraint is published as soon as possible.

We agree with evaluating the effectiveness of the new guidance a year after publication, but this should continue each year after that for two more years or longer if the evaluation raises any concerns. It will need to be evaluated (including evaluation by parents, carers and young people) on a regular, open and transparent basis after that, with data collected and published each year from local authorities and schools. Whistleblowing policies for staff should be highlighted and implemented.

We agree that there should be a working group to support implementation of the guidance. Parents and carers should be meaningfully represented on the working group. At local level, it is important that children, young people, and their families are made aware of this guidance and that families are involved in its implementation and evaluation because parents are advocates of their children's rights. The use of restraint and seclusion is distressing for all involved, and parents and staff can learn from one another about how best to support children and young people. A two-way sharing of skills, experience and knowledge will help to build open, positive, trust-based relationships in the best interests of children and young people.

Local authorities and schools must share information in general about restraint and seclusion policies and practices and about implementation with parents and children/young

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people, which should be a legal duty. A children's rights context should be provided too. Enquire and the Children's Commissioner have key roles to play in this.

Education

Connect fully supports the recommendations in Angela Morgan's review of the implementation of additional support for learning legislation. Angela Morgan's report made it clear that one of the most intractable challenges for children and families are attitudes and values: unless these change, so all children are truly valued equally and their parents' role as advocates also valued, nothing will change in our schools.

Progress has been painfully slow and there has been little to report back to parents and families who took part in the Morgan Review in good faith. Connect has been pressing for some time for information to report back to families which will demonstrate direct improvements in provision and support.

We have also previously highlighted concerns regarding Co-ordinated Support Plans, which are statutory under the Education (Additional Support for Learning) (Scotland) Act 2004. We have heard from many parents who tell us local authorities putting their child onto non-statutory Child's Plans instead. The failure of local authorities to use CSPs when there is a legal entitlement is unacceptable.

In our [surveys](#) carried out during the Covid Pandemic, parents of children with additional support needs told us they had been abandoned by the education and social care systems during lockdowns. Responses from parents with children and young people on the autistic spectrum were particularly distressing. Provision must be made to address out-of-school learning and support needs, whatever the circumstances. We still hear of exclusions and of schools 'giving up' on young people with autism-related distress.

Strategies and reporting requirements

Any improvements to reporting and accountability are welcome. However, this risks a two-track approach. How will reporting and data currently collected about additional support needs avoid duplication with the collection of data for the National Improvement Framework? Can data on all additional support needs go into the NIF? What is the most streamlined approach for parents and young people to access and understand the data that provides as complete a picture as possible? An infographic of the current data collection requirements and practices would be helpful for parents, young people and the wider public so that we can all see and understand what data is collected by whom under which piece of legislation.

It is important that data reporting is accessible and is made available to children and young people as well as their parents and families.

Mandatory training for teachers, practitioners and other educators

We agree with the consultation's proposals on teacher training requirements. We have always argued that there must be stronger commitments on career progression for teachers, to make Additional Support Needs an essential part of professional learning and teacher training as well as a valued career choice with opportunities for advancement, not just as an optional add on.

We suggest data and information on the uptake of professional learning available to professionals is collected to identify the gaps. Is ASL an optional module during initial teacher training? What do local authorities offer for ASL professional learning? Who takes this up – support assistants and/or teachers? Training on Children's Rights, the Additional

Support for Learning Act and the Parental Involvement Act in the context of support learners' needs would also be helpful.

Setting out training requirements for student teachers in legislation would be a good idea, without being prescriptive. If more than a third of school learners have an ASN, training in this field is essential for all educators.

Training requirements for student ELC practitioners is also important.

All professional learning on supporting those with additional needs must be meaningful and child-centred, not ASN-centred and not deficit-based.

There should be a mandatory training requirement for teachers, practitioners and other educators on learning disabilities and neurodivergence as part of their CPD. We believe educators are keen but there are not enough options and opportunities available to them. Working with parents/carers of children with ASN is also essential to this. Schools and early learning settings are likely to be important gateways for support and information for parents and wider families about the specific learning needs of their child. Specialist input may also be required to support a young person's progress. Open communication and trust-based, mutually respectful partnerships between home and school are crucial for effectively supporting children and young people in their learning and development.

Data

While we agree in principle in the proposal, without robust training for staff, teachers and schools, there will not be consistency in identifying support needs and in recording data.

It also must be made clear to parents and young people how the collection of this data will benefit them.

Transitions to Adulthood

Connect previously [commented](#) on the Members Bill.

The proposed National Transitions to Adulthood Strategy should provide an opportunity to join the dots between national government, local authorities, health boards, and other agencies, and improve the consistency of support for young people with a disability making the transition to adulthood across the country. Work with employers would be helpful as well as further and higher education to support effective transitions.

Connect

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