Muir Maxwell Trust

Written evidence submission on the Scottish Government’s 2015-16 Draft Budget

1.0 Introduction

1.1 The Muir Maxwell Trust (MMT) was founded by Ann and Jonny Maxwell in 2003 and our son, 16 year-old Muir, has had severe epilepsy since he was four months’ old. It has since grown to be a leading UK paediatric epilepsy charity, focusing on the care and treatment of those with complex forms of epilepsy.

1.2 Established in 2003, we aim to make a difference by providing profoundly learning disabled children and their families with practical support while raising awareness and understanding of their conditions.

1.3 The Trust wishes to thank the committee for providing us with the opportunity to contribute written evidence on the Scottish Government’s 2015-16 Draft Budget.

2.0 The budget and severely learning disabled children and young people

2.1 Due to a recent definitional change, nearly 20% of all pupils in Scotland are now assessed as having an “additional support need” (ASN) by the Scottish Government. Once only encompassing those with a significant support need, a range of pupils, from those with minor behavioural issues all the way to those with complex disabilities, must now be given additional support from their schools.

2.2 This has diluted resources to the point that many severely learning disabled children and young people – the very group we work with on a daily basis and the very group most in need of assistance – are in danger of simply being left behind.

2.3 The 2015-16 Draft Budget presented an opportunity to begin to rectify this situation as it provided Scottish Government officials with a method through which they could commit greater resources to councils as a way of helping them cope with this difficult situation.

2.4 Unfortunately, no additional funding was promised to help local authorities cope with this burgeoning problem; in fact the block grant from the Scottish Government to councils remained frozen in real terms for the coming year despite increasing attention being paid to the issue of ASNs in Scottish schools.

2.5 Though there is a debate to be had as to whether the definition of an ASN should have been extended to include such a large number of pupils, schools have a statutory duty to now meet their needs and it is unacceptable that the Scottish Government chose to not make the requisite financial commitment to ensure that they are able to adequately do this.

2.6 If more resources are not committed to local authority budgets and specifically targeted for ASN pupils, the impact on severely learning disabled pupils could continue to be

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profound. Therefore, while the Scottish Government allocation for local authorities might be sufficient to meet bare minimum educational standards as required by law, the quality of this provision will continue to suffer with little prospect of improvement.

2.7 Compounding the problem is a recent trend away from Grant Aided Special Schools (GASS), which have previously been bastions for severely learning disabled children and their families; this move away from GASS has been due to a statutory presumption that these children and young people should be educated in their own local schools.

2.8 Also harming GASS schools, as per the recommendations of the Doran Review in 2012, is a requirement that local authorities seek out ‘best value’ educational provision for pupils in their area. ‘Best value’ calculations, however, do not take into account the unique cost base of GASS institutions, nor the fact that the specialist provision they offer will necessarily be more expensive than mainstream provision.

2.9 Unfortunately, for the overwhelming majority of pupils with severe learning disabilities, education in the specialist environments like those offered in GASS continue to be the best for the child and their family and moves away from this provision in favour of more mainstream provision puts their educational development at risk. It is in the more specialist environments where these pupils are often offered the best chance to thrive.

2.10 Therefore, one way the Scottish Government can shore up educational provision to Scotland’s severely learning disabled would be to increase the share of resources devoted to GASS and concomitantly remove the presumption that these pupils should be educated in their local schools as a matter of priority. Though local authorities have attempted to build up their capacities to meet the needs of the severely learning disabled in recent years, there is still a major question to be answered in terms of whether teachers at local authority schools have been afforded adequate training to ensure they can work effectively with their severely learning disabled pupils. Unfortunately, there is no extra provision in the budget to ensure any additional specialist training for these teachers, meaning the sheer number of pupils with ASN they are now obligated to work with means that the quality of provision will likely be put under immense pressure.

3.0 Future direction of education provision for the severely learning disabled

3.1 Though the National Performance Framework (NPF) provides some direction for the public sector in terms of outcomes-based policy making, in the Trust’s experience it has proven to be of little consequence to those with severe learning disabilities and their families.

3.2 This is because the indicators themselves seem biased towards mainstream education, and do not pay enough attention to improving outcomes for those with severe learning disabilities. The indicators used to measure success in a number of NPF areas related to education are too broad to be of much use to this vulnerable group, leading to a system that largely overlooks their needs.

3.3 Therefore, while the practice of focusing on educational outcomes through the NPF is of course in principle positive, more thought and attention should be devoted to improving
outcomes for the severely learning disabled specifically, rather than have their unique needs subsumed under some broader heading.

3.4 Such an emphasis would also help drive improvement in terms of the Scottish Government’s preventative spending agenda, as it would help concentrate resources where they are most needed – like in the area of residential care provision – rather than see desperately needed funding spread too widely to make a difference. This can be aided as well by a fundamental overhaul of Scottish Government collection methods regarding disability statistics, which currently are not of a high standard.

3.5 In that respect, then, the draft budget does little to advance the Scottish Government’s preventative spending agenda. There should be no half-measures: to make a positive difference in the lives of the severely learning disabled, much more targeted funding needs to be made available to local authorities to meet their needs through the best available means – either at a local school or specialist facility – and specific national indicators for severely learning disabled children and young people must be developed and put into practice.

3.6 Only once a serious re-examination of educational provision for this group is made can we begin to move forward and meet their profound needs.

4.0 Conclusion

4.1 The Draft Budget frankly represents a missed opportunity to improve the educational provision for severely learning disabled children and young people. Not only does it not act to stem the decline in traditional education provision for this group (ie- the GASS route), but it does not set aside any additional funding to help local authorities cope with the overwhelming number of pupils now classed as having ASNs, to the detriment of those with severe learning disabilities.

4.2 Rather than rely on a generalised outcome framework, much more consideration must be given to the specific needs of the severely learning disabled and how best to support them. In my view, a renewed emphasis on GASS is required, along with ring-fenced funding for local authorities to improve their educational offerings to severely learning disabled pupils, including residential care facilities.

4.3 I would welcome the opportunity to expand upon this submission in one of the Committee’s upcoming oral evidence sessions.

4.4 If you would like more information, please contact:

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