



The Scottish Parliament
Pàrlamaid na h-Alba

EDUCATION AND CULTURE COMMITTEE

AGENDA

33rd Meeting, 2012 (Session 4)

Tuesday 11 December 2012

The Committee will meet at 11.15 am in Committee Room 3.

1. **Petition 1391:** The Committee will consider a Petition by Susan Calcluth-Russell on behalf of Renfrewshire Parent Council Forum calling on the Scottish Parliament to urge the Scottish Government to make it a legal requirement that qualified teachers teach children for 25 hours in a normal school week, subject to existing local flexibility of school hours in primary 1 and 2.
2. **Petition 1409:** The Committee will consider a Petition by Linda Whitmore, on behalf of ENABLE Scotland, on training for education staff on learning disabilities and autistic spectrum disorders.
3. **Inquiry on decision making on whether to take children into care:** The Committee will consider a note from the clerk.
4. **European Union Reporter:** The Committee will receive an update from its European Union Reporter.
5. **Post-16 Education (Scotland) Bill (in private):** The Committee will consider its approach to the scrutiny of the Bill at Stage 1.

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Clerk to the Education and Culture Committee
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The papers for this meeting are as follows—

Agenda Item 1

Note by the clerk

EC/S4/12/33/1

Agenda Item 2

Note by the clerk

EC/S4/12/33/2

Agenda Item 3

Note by the clerk

EC/S4/12/33/3

Agenda Item 5

PRIVATE PAPER

EC/S4/12/33/4 (P)

Education and Culture Committee**33rd Meeting, 2012 (Session 4), Tuesday, 11 December 2012****PETITION 1391****Introduction**

1. Petition 1391, by Susan Calcluth-Russell on behalf of Renfrewshire Parent Council Forum, calls on the Scottish Parliament to—

“urge the Scottish Government to make it a legal requirement that qualified teachers teach children for 25 hours in a normal school week, subject to existing local flexibility of school hours in primary 1 and 2.”
2. The Education and Culture Committee considered the petition at its meeting on [29 November 2011](#)¹ and agreed to leave it open until the conclusion of negotiations on the report of the review of teacher employment in Scotland, commonly known as the “McCormac review”.²
3. Further information on the petition is available via this [link](#)³, including evidence provided by the petitioner to the Public Petitions Committee.

Background

4. The SPICe briefing ‘teacher education and career-long professional learning’, circulated for last week’s committee meeting, made the following points of relevance to the petition—
 - The petition was prompted by a draft proposal by Renfrewshire Council in January 2011 that non-teachers cover 2½ hours of the pupil week in primary schools. The draft proposal was withdrawn but it highlighted that there is no explicit statutory provision for the number of hours children are required to be taught each week.
 - The McCormac Review recommended that—
 - “the involvement of external experts in the delivery of teacher led school education should be facilitated. Schools should be encouraged to draw on appropriately skilled individuals to enhance the learning of pupils. Head teachers would determine whether these individuals may work directly with a class on their own”; and
 - “the GTCS should develop a validation process to assist local authority schemes for the involvement of specialists”. (recs 31,32)

¹ <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=6783&mode=pdf>

² The review was published in September 2011 and was chaired by Professor Gerry McCormac.

³ <http://scottish.parliament.uk/GettingInvolved/Petitions/PE01391>

- In response to a statement by the Cabinet Secretary for Education and Lifelong Learning⁴, Education Scotland recently published a paper on the [involvement of external experts in schools](#), which stated that⁵:
 - “external experts represent a valuable resource which teachers can use to support the learning for children and young people. They are not a substitute for the professionalism of the teachers”; and
 - “there remains significant potential to increase and improve these contributions further.” (para 15)
- The report also concluded that “no further national guidance is required with regard to the involvement of external experts”.

Decision

5. **The Committee is invited to agree what action, if any, it wishes to take in relation to Petition 1391.**

⁴http://www.educationscotland.gov.uk/resources/t/genericresource_tcm4735780.asp?strReferringChannel=inspectionandreview&strReferringPageID=tcm:4-682712-64&class=l1+d147708

⁵http://www.educationscotland.gov.uk/Images/Involvementofexternalexpertsinschooleducation_tcm4-735729.pdf

Education and Culture Committee**33rd Meeting, 2012 (Session 4), Tuesday, 11 December 2012****PETITION 1409****Introduction**

1. Petition 1409, by Linda Whitmore on behalf of ENABLE Scotland, calls on the Scottish Parliament to—
“urge the Scottish Government to ensure that all teachers and support staff are fully trained to provide the right additional support for children and young people with learning disabilities and/or autistic spectrum disorders in Scottish schools.”

Background

2. The Education and Culture Committee first considered the petition at its meeting on [17 April 2012](#)¹. The Committee agreed to consider the issues raised during a one-off evidence session on Additional Support for Learning (which subsequently took place on 15 May 2012) and to highlight the petition to the Scottish Government's National Partnership Group (NPG)².
3. At the Committee's meeting on 15 May³, the petitioner provided further clarification on the changes being sought—

“We are realistic about it. We are not asking that every teacher and every support for learning assistant should know about every learning disability and every condition on the autistic spectrum. That would not be realistic, and it is not what we are asking for.

We are asking for a basic level of training to be provided, which should consist of three elements. First, it should provide an awareness of learning disability and autism, and what that means for the child. Secondly, it should cover strategies for communicating with and managing the behaviour of those children. Thirdly, all that should be underpinned by an understanding of the ASL act and inclusion and equalities agendas.

We would like such training to be a mandatory element of initial teacher education ... In addition, we would like there to be a programme of continuing professional development for teachers and support assistants, which those elements would be built into.”

4. The issue was raised again during a the Committee's evidence session with the Cabinet Secretary for Education and Lifelong Learning on 26 June⁴. He stated that—

¹ <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=7184&mode=pdf>

² The Scottish Government established a National Partnership Group (NPG) to consider how to implement the recommendations of Professor Graham Donaldson's review of teacher education.

³ <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=7128&mode=pdf>

“The assurance that I have from the heads of the institutions ... is that every teacher will have a knowledge of the issues when they leave teacher training college, and that is how it should be.”

National Partnership Group and GTCS

5. The NPG report did not make recommendations that specifically mention initial teacher training on additional support for learning. However, ASL is raised as a priority area for career long professional learning (para 48, NPG report).
6. A National Implementation Board has now been established to take forward the NPG’s recommendations, while the GTCS is reviewing the entry requirements that it sets for all teacher education courses.

Support staff

7. In terms of support staff, a SPICe briefing prepared for the Public Petitions Committee stated that—

“There are no mandatory qualifications for learning support staff in schools, although individual local authorities may ask for particular skills/experience or qualifications depending on the particular post. Staff in pre-school education are required to register with the Scottish Social Services Council.” [SSSC registration of pre-school staff is based on obtaining certain qualifications.]

8. A number of local authorities provided written evidence to the Public Petitions Committee, which described the specific training they provided to support staff.
9. Further information on the petition is available via this [link](#)⁵, including all the evidence provided by the petitioner and other groups to the Public Petitions Committee.

Decision

10. **The Committee is invited to agree what action, if any, it wishes to take in relation to Petition 1409.**

⁴ <http://www.scottish.parliament.uk/parliamentarybusiness/28862.aspx?r=7321&mode=pdf>

⁵ <http://scottish.parliament.uk/GettingInvolved/Petitions/PE01409>

Education and Culture Committee

33rd Meeting, 2012 (Session 4), Tuesday, 11 December 2012

Inquiry on decision making on whether to take children into care

Note by the clerk

As part of the Committee's inquiry into decision making on whether to take children into care, Committee members are undertaking a number of fact-finding visits.

On 13 November 2012 the Committee met Chairs of Child Protection Committees. A note of this meeting is contained in Annexe A.

On 20 November 2012 the Committee met four members of the People First (Scotland) Parents' Group. A note of this meeting is contained in Annexe B.

**Jonas Rae
Committee Assistant
6 December 2012**

ANNEXE A

Education and Culture Committee

Tuesday, 13 November 2012

Meeting with Chairs of Child Protection Committees – Note of meeting

1. As part of its inquiry into decision making on whether to take children into care, on Tuesday 13 November 2012 the Committee met Chairs of Child Protection Committees (CPCs) as part of its inquiry into decision making into whether to take children into care.
2. The following issues arose during the discussion—

Leadership

- It was acknowledged that good leadership is a pre-requisite for establishing consistent good practice in this area. Good leadership should involve taking responsibility and pushing all agencies to deliver strong outcomes;
- Committee members were advised that CPCs provide a framework for everyone to work together, make strategic decisions and set high-level standards and expectations and question them constantly, ensuring that relevant guidance is up to date and making improvements where appropriate. CPCs discharge to staff the responsibility for the individual child and are in turn held to account by Chief Officers;
- Links to Community Planning Partnerships are important as they can play a key role in providing guidance and unblocking blockages. It was noted that these links are not currently as good as they could be;
- The challenge for those working in child protection is to build individual successes into the collective strategic picture;
- It was noted that, although individual CPCs objective set, there is no single agreed set of management objectives for all CPCs;
- It was noted that qualitative indicators are harder to put in place although the Scottish Government's SHANARRI indicators offer this to some extent;
- CPC Chairs acknowledged the work of With Scotland in providing national co-ordination, looking at trends and providing training and research on good practice;
- CPCs try to spot issues of capacity or resource and flag to chief officers where appropriate;
- In respect of sharing of best practice, it was noted that significant case reviews are beginning to look at cases where everything went as planned as well as cases where things went wrong;
- It was noted that some councils are trying to identify the children in their area with parents who have an alcohol or drug addiction. In one local authority 600 such children have been identified, but there are only 50 on the child protection register. It was noted that many of these families get by with support from different agencies;
- There was agreement that leadership by CPCs and by CPPs will be particularly important in the context of tightened budgets.
- It was noted that one of the challenges of the current financial climate and changes to the welfare system are already impacting upon training budgets.

Multi-agency working/sharing of information

- Issues around multi-agency working and the sharing of information were raised. It was noted that inter-agency co-operation works in the child protection context because it is clear what to do. There are, however, legislative blockages to sharing of information where the child is not subject to child protection procedures, as a result of having to seek parental consent;
- For example, GPs are aware of the legal constraints upon them in respect of sharing information (they can only share information on specific issues). It was noted, however, that work is ongoing with them to ensure that the best possible information is shared where appropriate and within legislative requirements. **It was acknowledged that this may be an area that the Committee may wish to consider further.**
- A more general concern was expressed that council resources need to become more child-friendly and joined up. There can be many different agencies working with the same family at the same time, but, depending on the local authority structure and level of information sharing by departments, they may not always be aware of each other's involvement.. An example given was that of Housing Officers, who may regularly be in and out of homes where there are looked after children but who do not necessarily communicate this to other professionals, such as children and families social workers who may be dealing with the same family at the same time. **This was highlighted as an area that the Committee may wish to consider further;**
- It was noted that, in order to ensure clear lines of communication between the child protection system and the children's hearings system, a representative of the children's reporter sits on the CPC and that CPCs do training with panel members;

Thresholds for intervention/resources

- Different thresholds for intervention and over-optimism in parents ability to change can lead to bad results;
- Issues of different thresholds for intervention do not relate to children at significant risk of harm – they relate to families where professionals have niggles/gut feelings about the family but where there is not clear cut evidence that the child should be removed;
- Therefore, the key issue is that of neglect. There are many children who are not at significant risk of harm and are not on the child protection register but are being neglected to some extent by their parents. The level of resources available and the short-term benefits of removal are factors in deciding whether to remove a child in such situations. If there are no appropriate placements available the child will not be removed. There is currently a shortage of permanent placements;
- The issues, therefore, are around vulnerable children who have not reached the child protection system and who, due to resource considerations are not prioritised. **It was acknowledged that this is an area where the Committee could make a difference;**
- Related to this issue is the fact that there are differing professional perspectives on what constitutes "good enough" parenting;

- Decision making on whether to take children into care can be dependent on the age of the child. For example, removing children in their early teens can cause more problems than it solves;
- It was noted that there may be a case for the Committee making a distinction between decision making on whether to remove younger children and whether to remove older children, as different factors have been taken into account, such as older children wanting to remain at home;
- Examples were alluded to of children being removed later on, before professionals received a disclosure that revealed issues that occurred earlier on and had not been picked up at the time;
- It was noted that, from the perspective of child protection, there are three categories for monitoring children – (1) children at risk; (2) children where there are concerns; and (3) children for whom there is universal service provision;
- It was noted that, in addition to parental drug or alcohol misuse, other factors, such as parental mental health issues, are also often prevalent in child protection cases;
- It was also acknowledged that parental drug and alcohol misuse is only an issue in this context if there is a clear impact on the child;
- It was noted that child protection issues can affect families at all ends of the social spectrum. It was noted that middle class parents and their solicitors were able to advocate very strongly on their own behalf rather than the child's needs, which can, in turn, prove disheartening for staff, who can feel intimidated by this. The increasing involvement of solicitors (which is not solely confined to middle class parents) was mentioned in this context;
- It was noted that professionals are under pressure and those pressures are likely to increase as a result of changes to the welfare system. It was also noted that there is a feeling that families are becoming more hostile;
- It was noted that assumptions about a link between poverty and poor parenting are not always correct;

Timescales

- The length of timescales before permanence is achieved has improved in the last few years, particularly following work carried out by the Scottish Children's Reporter Administration on the matter;
- Investment in the early years is the key to breaking the cycle. This requires agencies to have the resources to enable them to take the right decisions early;

Accessibility

- It was acknowledged that the different systems (child protection/children's hearings etc.) are complex and can be difficult for children and families to understand.

**Neil Stewart
Assistant Clerk
22 November 2012**

ANNEXE B

Education and Culture Committee

Tuesday, 20 November 2012

Meeting with People First (Scotland) Parents' Group – Note of meeting

1. As part of its inquiry into decision making on whether to take children into care, the Committee met four members of the People First (Scotland) Parents' Group. This is a support group for parents with learning difficulties.
2. The meeting was facilitated by Jane Lewis, People First (Scotland)'s National Development Worker.
3. The following is a note of specific points that were made by members of the Group during the meeting—

Support for parents

- There is a need for ongoing, consistent support from pre-birth until the child reaches adulthood. Currently the level of support is reliant on good individual relationships. It was felt that this support should be flexible, from the start, ongoing, trusting, consistent and non-judgmental;
- in the Group's experience, there is currently a lack of support for parents (for example ongoing parenting support as well as support with bills and reading official correspondence);
- the Group felt that parents with learning disabilities are not given a high enough priority by professionals, some of whom are not responsive to their specific needs;
- Concerns were raised about documentation from schools not being available in accessible formats such as large print and simple language (eg homework assignments, letters) and about the lack of provision for parents who cannot read;
- it would be more helpful if professionals could ask parents what they need rather than making assumptions;
- Particular concerns were raised about the amount of support from social workers and their level of experience;
- It was noted that, in some cases, social work support is only available once every two weeks;
- Parents should receive support to improve their own literacy;
- In general better support earlier would be more appropriate, and would save money on foster care and residential units;
- It was noted that there is still stigma around receiving social work support and that there is a challenge for society as a whole to change this perception;

Different agencies

- Concerns were raised that social workers and schools do not always communicate effectively with each other. It was, however, acknowledged that, this can vary from school to school;

- It was noted that a professional trained in working with children will not necessarily be skilled in working with adults. The Group thought this ought to be taken into account by agencies when training staff;
- It was also acknowledged that social workers have large caseloads and that what is considered to be intensive support by children and families professionals is not as intensive as it should be;
- People First (Scotland) is currently campaigning to have all GIRFEC care plans made available in easy read format;
- There were mixed views about the level of support by healthcare workers, with the general feeling that learning disability nurses provided a high level of support but that other elements of healthcare support were not as good;
- Concerns were raised that there is a perception that parents with learning difficulties are more likely to have their children removed than parents with drug misuse problems;
- Concerns were expressed that children and families social workers were not aware of easy read material and the good practice guidelines for supporting parents with learning disabilities;
- Members of the Group compared the treatment of parents with learning disabilities with the treatment of people with physical disabilities, arguing that attitudes that would be deemed unacceptable if adopted towards parents with physical disabilities were taken towards parents with learning disabilities;
- A concern was expressed that there is currently a divide between support given to parents (eg with housing) by one local authority department and support given to children by another. The Group felt that this ought to be more joined-up.

Children's Hearings

- Although panel members are generally perceived as being helpful, going to a children's hearing (or a child protection meeting) can be very daunting for someone with learning difficulties (partly due to the number of people in the room), and not many panel members have an awareness of the needs of parents with learning difficulties;
- It would be helpful if information provided for children's hearings could be more accessible and provided earlier;
- Having easier access to advocacy/lawyers would also be helpful;
- The Group would prefer it if there were greater consistency among panel members (they rarely see the same panel member twice);
- Issues around permanence were raised. Particular concerns were expressed that children's hearings tend to favour removal from the family home over the provision of ongoing support;

General

- The Group argued that the experience of parents with learning difficulties is broadly the same across the country;
- The Group was concerned that there is a general lack of joined up thinking between agencies and local authority departments and that there is a need for better communication;

- In this context, concerns were raised that some professionals are not aware of best practice guidelines for supporting parents with learning disabilities;
- When asked what one change they would make to the system to improve it, the Group provided the following thoughts—
 - there is a need for more accepting attitudes towards parents with learning difficulties;
 - there is a need for professionals and children’s hearings to think more about what would work best for the child and the family;
 - money should not be an issue;
 - more support for parents who are unable to read would be helpful;
 - more advocacy is required.

**Neil Stewart
Assistant Clerk
23 November 2012**