

# **EUROPEAN AGENCY STATISTICS ON INCLUSIVE EDUCATION**

**United Kingdom (Scotland) 2012/2013 data  
background information**



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## **BACKGROUND INFORMATION**

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### **How the official decision of special educational needs (SEN) used in the country relates to the agreed EASIE operational definition:**

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*An official decision leads to a pupil being recognised as eligible for additional educational support to meet their learning needs.*

#### **Pupils' legal entitlements under what legislation**

The Education (Additional Support for Learning) (Scotland) Act 2004 outlines how to meet the needs of children who require additional support to ensure they can make the most of their education. Amendments were made to this Act in 2009, which became law in November 2010. Under this law, any child who needs more or different support than that which is normally provided in schools or pre-schools is said to have 'additional support needs'.

#### **How additional support is understood within the country context**

The Education (Additional Support for Learning) (Scotland) Act 2004 provides the legal framework for the provision of additional support for learning. The Act is structured around the concept of support being needed for any reason, and for short- or long-term periods, determined by the individual learning needs of the child or young person. Education authorities' key duties are to identify, make provision for, and review provision for the additional support needs of children and young people for whose education they are responsible.

### **The criteria for an official decision are:**

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#### **There has been an educational assessment procedure involving a multi-disciplinary team**

The Act places duties on education authorities (and, in certain circumstances, health and social work bodies and Skills Development Scotland) to plan and make joint provision for children and young people with complex or multiple additional support needs. Where their needs are significant, require support from education and another partner agency, and will last more than one year, children and young people may have a statutory co-ordinated support plan to bring together all of the support to be provided to meet their learning needs.

#### **The multi-disciplinary team includes members from within and external to the pupil's school**

As above.



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**There is a legal document which describes the support the pupil is eligible to receive and which is used as the basis for planning**

Where their needs are significant, require support from education and another partner agency, and will last more than one year, children and young people may have a statutory co-ordinated support plan to bring together all of the support to be provided to meet their learning needs.

**The official decision is subject to a formal, regular review process**

The co-ordinated support plan is a statutory document, which is subject to regular monitoring and review for those children and young people who meet the criteria for requiring one. Education authorities must have arrangements in place to identify, from among those children and young people for whose school education they are responsible, those with additional support needs who require a co-ordinated support plan and the particular additional support needs of the children so identified. The statutory co-ordinated support plan is monitored and reviewed regularly. Other types of support will also have plans that are monitored and reviewed regularly, but they are not statutory.

**Proxy indicator(s) for the 80% benchmark used for the country's data collection**

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No proxy indicator is used. Information on the percentage of time spent in mainstream classes is collected.

*Actual data is available to verify the 80% benchmark.*

Yes, for publicly-funded schools.

*Placement in a mainstream class implies over 80% or more with non-disabled peers.*

Yes.

*Data is available on the number of hours of support allocated to a pupil.*

Not for individual pupils.

*Placement in a mainstream class implies over 50% or more with non-disabled peers.*

Yes.

**Details on what the country proxy is:**

Data on the percentage of time in mainstream classes is collected.

**Why this proxy was used:**

It was used to measure the extent of mainstreaming, as children and young people have the right not to attend a special school.

**Difficulties in using any proxy:**

No difficulties.



### **Specific country issues in applying the proxy:**

Children and young people should be enrolled in one school and recorded as such. They may attend other forms of provision for all or part of the week for a period of time. In poor practice, some young people are not always linked with the school in which they are enrolled. Dual enrolment does not occur.

School inspectors have highlighted this in the report [Out of site, out of mind?](#)

## **Detailed description of what is meant by ‘out of formal education’ within the country’s data collection**

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The 2011 International Standard Classification of Education (ISCED) defines Formal Education as follows:

*[...] education that is institutionalised, intentional and planned through public organizations and recognised private bodies and, – in their totality – constitute the formal education system of a country. Formal education programmes are thus recognised as such by the relevant national education or equivalent authorities, e.g. any other institution in cooperation with the national or sub-national educational authorities. Formal education consists mostly of initial education [...] Vocational education, special needs education and some parts of adult education are often recognised as being part of the formal education system. Qualifications from formal education are by definition recognised and, therefore, are within the scope of ISCED. Institutionalised education occurs when an organization provides structured educational arrangements, such as student-teacher relationships and/or interactions, that are specially designed for education and learning (United Nations Educational, Scientific and Cultural Organization and UNESCO Institute for Statistics, 2011, *International Standard Classification of Education ISCED 2011*, p. 11).*

### **Information on pupils considered out of education (i.e. those not in formal education as per the ISCED definition):**

‘Out of formal education’ includes children who are educated at home, generally through parental choice; however, some may be educated at home due to ill health. It may also include children educated in hospital. However, most of these pupils will remain on the roll (i.e. be recorded) of their normal school, so will be counted in the formal education figures anyway. Likewise, juvenile detention (secure units) is also included in the formal education data. Information on ‘out of formal education’ is not collected. It was in the past, but it was unreliable, as parents who choose to home educate their children are not obliged to tell anyone unless the pupil has already attended school.

Very few children and young people are out of formal education. Some children are home educated. In other instances where they are not in mainstream schools, children and young people are educated in line with national guidance. For instance, all specialist provision is managed by a head teacher and secure provision includes good quality schooling. It is worth mentioning that Scotland is moving forward with a broad definition



of learning that includes community placements, work experience and vocational aspects as part of learning at the senior phase of formal education.

### **Country definitions of formal, non-formal and informal education:**

Home education is a right, which is conditional upon the parents providing an efficient education suitable to the child's age, ability and aptitude. Choosing this option does not in itself require permission. A child is defined as being of school age (i.e. education must be provided) if they have attained the age of 5 years but have not yet attained the age of 16 years.

[Guidance to parents and local authorities on home education](#)

### **Sources of data from non-educational sectors – i.e. social, justice, health:**

No data from other sources.

## **Provision of data on private sector education**

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The data collection covers all sectors of education, including numbers for the pupil population in the private sector.

### **Private sector education in the country:**

Independent school information (also known as private sector) is included. Limited information from this sector is collected, such as the number of pupils by school, gender and year of birth. Information is also collected on the type of school: whether primary only, secondary only, both primary and secondary (through school) or special.

*An independent school is defined in the Education (Scotland) Act 1980 (referred to as 'the 1980 Act' in this guidance), as amended, as 'a school at which full-time education is provided for pupils of school age (whether or not such education is also provided for pupils under or over that age), not being a public school or a grant-aided school'. The 1980 Act does not prescribe a minimum number of pupils needed in order to constitute a school, and it defines school age as a person of school age if that person has reached the age of 5 and not attained the age of 16 ([The Registration of Independent Schools in Scotland: Guidance Notes](#)).*

### **Specific issues with providing data on private education and how these have been overcome in the data collection:**

Limited information from this sector is collected, such as the number of pupils by school, gender and year of birth. Information is also collected on the type of school: whether primary only, secondary only, both primary and secondary (through school) or special.

## **Pupil age ranges**

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Usual pupil age ranges in the country at ISCED level 1: 5 to 11

Usual pupil age ranges in the country at ISCED level 2: 12 to 15