

POLICY ON INCLUSION AND EQUALITY



Education Resources

Policy statement
Policy on Inclusion and Equality

POLICY ON INCLUSION AND EQUALITY



Introduction and rationale

The Inclusion and Equality Policy is one of Education Resources' core policies, along with:

- Quality Management
- Leading Learning
- Maximising the Use of Resources
- Wellbeing and Care
- Communication and Consultation

The policy framework provides an overall purpose and direction for the work of all establishments and services within Education Resources. The policies support our contributions to the Council's policy objectives included in Connect, the Council Plan, and the ambitions of the Single Outcome Agreement for South Lanarkshire's Community Planning Partnership.

South Lanarkshire Council endorses the Scottish Minister's aspiration, set out in Curriculum for Excellence, that all children and young people should be successful learners, confident individuals, responsible citizens and effective contributors to society.

In line with the Getting It Right For Every Child principles and the recommendations of the European Convention of Human Rights, the Council supports the vision and

strives to the common aim that all children and young people should be safe, healthy, achieving, nurtured, active, respected and responsible and included.

All educational establishments should have the highest expectations for all learners, whose achievements should be valued and celebrated. However, educational establishments alone cannot deliver everything that some individuals need to make the most of their education. Some of the barriers to learning and participation are associated with poverty and social circumstances and the stresses they can produce. Other agencies, such as social work, housing and health, have a critical contribution to make in enabling children and young people, and adult learners, to access educational opportunities. An inclusive society will seek to ensure that the potential of every individual is fully developed by addressing their needs in a holistic way in order to achieve better outcomes for all learners.

The Education (Additional Support for Learning) (Scotland) Act 2004, as amended 2009, aims to ensure that all learners are provided with the necessary support to help them achieve their full potential. "All establishments should work with a range of partners to address

the needs of all learners and provide motivating and challenging opportunities, particularly for those with additional support needs. Action to address the needs of learners requires an integrated approach across services". (SLC Policy on Leading Learning, 2012).

In South Lanarkshire, children and young people will be educated in mainstream schools, in line with the requirements of the Standards in Scotland's Schools etc. Act 2000, unless certain specified circumstances apply. Education Resources will endeavour to place children and young people in educational establishments close to their home community, wherever possible. All practitioners will use inclusive and integrated practice to promote equality of opportunity for all learners to reach their potential, taking account of their needs or protected characteristic.

Equality and inclusion are at the heart of our work in education; we seek to eliminate discrimination and promote equality of opportunity as required by The Equality Act 2010. Education Resources embraces the requirements of The Equality Act 2010 through the implementation of Curriculum for Excellence, Getting It Right For Every Child and the Additional Support for Learning legislation. This is demonstrated by a shared belief that all learners should be included and treated equally. We are committed to seek and take account of the views of learners, and their parents, in all decisions concerning their education.

This policy provides a framework for Learning Communities, establishments, and services to address the support needs of children, young people and adult learners in the context of partnership with other agencies and the wider community.

Policy statement

Policy on Inclusion and Equality

Key terminology

a. Inclusion

Inclusion in education aims to ensure the full participation of learners in the curriculum and the wider community, to enable the highest achievements and attainments of all and promote a sense of belonging. This ethos will impact on the cultures, policies and practice of every establishment and service, and in particular, promote the learning and participation of vulnerable children, young people and adults. The outcomes associated with inclusion are key to ensuring equality of opportunity.

Children and young people will be educated in mainstream schools wherever possible, in line with the requirements of the Standards in Scotland's Schools, etc. Act 2000.

b. Equality

Equality is the elimination of unlawful discrimination, harassment, victimisation and any other unlawful conduct. It is also the advancement of equality of opportunity and fostering of good relations to tackle prejudice and promote understanding. South Lanarkshire Council is committed to upholding and promoting equality as outlined in The Equality Act 2010.

The Act extends legislative protection to the seven protected characteristics within education establishments: race, disability, gender, religion and belief, sexual orientation, gender reassignment, pregnancy and maternity, and places duties on local authorities related to these protected characteristics. It should be noted that age, marriage and civil partnership are not protected characteristics for schools provision, although they need to be taken into account for other educational services.

Education Resources aims to actively promote equality of opportunity for all learners. In order to ensure accessibility for all, reasonable adjustments may be required to support individual learners.

The underlying principles laid out in the Scottish Government's Strategic Guidance for Community Planning Partnerships incorporate "inclusion, equality of opportunity and anti-discrimination - recognising some people need additional support to overcome the barriers they face".

c. Additional support needs

The Education (Additional Support for Learning) (Scotland) Act 2004, as amended 2009, introduced the concept of additional support needs. This term applies to children and young people who, for whatever reason, require additional support, long or short term, in order to help them make the most of their school education and to be included fully in their learning.

Any individual may experience barriers to learning and participation, in some contexts, and may need support. Consideration should be given to the four overlapping themes which may lead to some learners having a need for additional support. These are:

- Learning environment
- Family circumstances
- Disability or health needs
- Social and emotional factors

d. Support for learning

Individuals need support to help them learn at various stages in their lives. Support for learning includes a wide range of activities which increase the capacity of an educational establishment to meet the needs of all learners. Support is based on an assessment of need within the framework of staged intervention.



POLICY ON INCLUSION AND EQUALITY

Components

1. Providing an inclusive service

Education in South Lanarkshire is based on an inclusive ethos, which will ensure that all learners are treated fairly, have equality of opportunity and have a sense of belonging in their learning environment.

Outcomes:

- The needs of learners are met in age appropriate, inclusive settings, within or as near as possible to, their local area.
- All learners are given the opportunity to be included in their wider school, Learning Community and learning environment.
- Through the provision of a wide range of support, all learners develop as confident individuals, successful learners, effective contributors and responsible citizens.
- All educational establishments and providers maximise the use of resources, so that all learners are included in the culture, curriculum and community.
- All learners feel safe, healthy, achieving, nurtured, active, respected and responsible and included, regardless of the diversity of their need.

2. Equality

In South Lanarkshire, Education Resources' approach to celebrating and supporting diversity is demonstrated in our day to day work and our commitment to providing high quality education that is accessible to all.

Outcomes:

- All learners work in an open, supportive environment, where everyone has the opportunity to reach their full potential and understand the values and benefits of equality and diversity.
- All learners are treated fairly and have equality of opportunity.
- All Education Resources staff integrate equality into everything they do.

3. Identification and assessment of needs

The needs of learners in South Lanarkshire are identified and assessed to ensure that they receive "The Right Help, at the Right Time, in the Right Place", The Doran Review Report (2012).

Outcomes:

- All learners' needs are identified in line with the principles of Getting It Right For Every Child, in a proportionate and timely manner.
- The needs of learners are met through staged intervention.
- Learning outcomes for those with identified additional support needs are set out in an appropriate plan.

- Progress is effectively monitored, recorded and shared with the learner and their parents at key points, at least annually.

4. Providing an inclusive and appropriate curriculum

In South Lanarkshire, education practitioners provide a Curriculum for Excellence which meets the needs of all learners. This is achieved by inclusive practice which takes account of the needs of individuals, whilst planning for all.

Outcomes:

Through the curriculum, all learners:

- Develop their understanding of valuing diversity and commonality among people.
- Are enabled to become successful learners, confident individuals, responsible citizens and effective contributors.
- Experience challenge and enjoyment, breadth, progression, depth, personalisation and choice, coherence and relevance.
- Develop an awareness of their rights and responsibilities as an individual.



Policy statement

Policy on Inclusion and Equality

- Are supported by effective learning and teaching strategies, which meet their individual needs.
- Receive appropriate support to help them achieve their full potential.

5. Involving all learners and parents

All Education Resources staff respect the right of learners and their parents to be at the centre of the educational process in line with the principles of Getting It Right For Every Child.

Outcomes:

- Through positive partnerships, all learners and their parents understand that they have been listened to and that their wishes have been considered in order to feel empowered and engaged in the educational process.
- All learners are supported to express their views.
- Staff respond promptly and sensitively to all learners' views and concerns, and those of parents.
- Learners and parents are involved in the creation of improved educational services.

6. Partnership working

Education Resources is committed to the Getting It Right For Every Child principle of working together with partners to improve educational opportunities for all learners and their families.

Outcomes:

- Through effective partnership working, integrated assessment, planning and service delivery is achieved for all learners.
- Early intervention and improving service provision for the most vulnerable learners.

7. Continuing professional development

Education Resources is committed to developing staff to promote inclusion and equality in all learning environments through a range of Continuing Professional Development opportunities.

Outcomes:

- All staff are committed to developing their understanding of the characteristics of an inclusive establishment and have a working knowledge of additional support needs.
- Every establishment should have a member of staff with more detailed knowledge of the range of needs and the implications of legislation for practice.
- Through undertaking further specialist training, designated staff are able to advise and support establishments in meeting the needs of children, young people and adults with additional support needs.



8. Effective leadership and management

To enable the effective development of inclusion and equality, Education Resources promotes inclusive policies, cultures and practice.

Outcomes:

- The development of inclusion and equality is led effectively, both at authority level and within establishments, in line with legislative requirements and national and local guidance.
- Learning Communities promote an embedded ethos of inclusive practice in all educational establishments.

POLICY ON INCLUSION AND EQUALITY



Responsibilities

It is the **responsibility of everyone** to ensure that:

- All learners are safe, healthy, achieving, nurtured, active, respected and responsible and included.
- The learner is at the centre of all decisions.
- Learners are challenged and supported to achieve success in their learning.
- The achievements of all learners are recognised and celebrated.
- The views of the learner and parents are sought about any decision which affects them.
- Support is based on an assessment of need.
- Transitions are carefully planned and supported.
- Children are supported to attend mainstream schools, in line with the requirements of the Standards in Scotland's Schools, etc. Act 2000, wherever possible.

Within national guidelines and available resources, it is the **responsibility of the Education Resources Management Team** to:

- Support the development and the principles of, and fulfil responsibilities relating to:
 - The Education (Additional Support for Learning) (Scotland) Act 2004, as amended 2009;
 - Education Resources Operating Procedure A28 – Additional Support for Learning – Advice and Guidance;
 - The Equality Act 2010;
 - Children and Young People (Scotland) Act 2014;
 - Curriculum for Excellence;
 - Getting It Right For Every Child;
 - The Requirements for Community Learning and Development (Scotland) Regulations 2013.
- Promote a shared vision and strategic direction across education and partner agencies to ensure a common objective of inclusion and equality for all.
- Manage and deliver a range of services and direct resources to support inclusion and equality.
- Ensure that inclusion and equality are developed through the Resources Plan and the Getting It Right for South Lanarkshire's Children and Families: Children's Services Plan.
- Maximise and target resources through the Getting It Right for South Lanarkshire's Children and Families: Children's Services Plan and the Community Learning and Development Strategy.
- Use performance management and quality assurance tools to ensure agencies are working

to an agreed set of targets and outcomes to achieve inclusion and equality.

- Monitor the attainment and achievement of all children, young people, and adult learners, with a particular focus on groups at risk of missing out on educational opportunities, including looked after children and young people.
- Ensure there is no adverse effect from this policy on groups with protected characteristics, through the impact assessment process.

It is the **responsibility of staff within the Inclusive Education Service** to:

- Develop policy and procedures in relation to inclusion and equality.
- Provide support and guidance to establishments and services to develop and embed good inclusive practice in line with legislation and guidance.
- Provide establishments and Learning Communities with information on research and current developments in inclusive practice.
- Track and monitor a range of information relating to additional support needs and equality outcomes.
- Identify staff development opportunities in relation to inclusion and equality, both as a single agency and jointly with other agencies, and support professional development programmes to meet these needs.
- Through partnership working, develop diversity and flexibility in provision, to meet the needs of all learners.
- Ensure that parents are fully informed and supported to access and utilise independent

Policy statement

Policy on Inclusion and Equality

mediation services, dispute resolution, and tribunals.

- Ensure effective partnership working is established in service delivery.
- Ensure all relevant partners contribute to integrated assessments and the child's plan, including Coordinated Support Plans.
- Provide advice and guidance on specialist placements, where appropriate, and provide information to assist all learners and their parents to make informed choices.
- Ensure that decisions about specialist provision are given the fullest consideration by the Multi-Agency Additional Support Needs Forum.

It is the **responsibility of Psychological Services** to:

- Contribute to the on-going process of assessment which forms part of the staged intervention approach.
- Work collaboratively on Getting It Right For Every Child framework assessments.
- Provide advice and guidance for learners, parents and establishments.
- Provide learning and development opportunities.

It is the **responsibility of Support Services** to:

- Participate in and provide appropriate resources, in line with the outcomes of the Learning Community Resource Teams and Additional Support Needs Resource Teams.
- Provide learning and development opportunities for support staff.

- Provide support to establishments.

Within national and council guidelines and available resources, it is the **responsibility of all members of management teams and Learning Communities** to:

- Ensure the principles and guidance set out in this policy are embedded in the culture and practice of each establishment and Learning Community and are progressed through the improvement planning and impact assessment processes.
- Embed a multi-agency approach, in line with Getting It Right For Every Child principles, to ensure all available supports are in place for learners including those with additional support needs and protected characteristics.
- Develop effective structures and processes to ensure that all establishments have a member of staff with responsibility for additional support needs and equalities.
- Recognise that partnership working is itself a resource, and utilise all of the wider community and universal services to increase the establishment's capacity to respond to and meet the range of needs.
- Develop and embed a positive and inclusive ethos in which:
 - a safe, welcoming and stimulating environment is provided which supports the learning and participation of all;
 - staff and resources are developed to support learning and participation;
 - individual needs, differences and learning styles are respected;

- the school curriculum enables all children and young people to become successful learners, confident individuals, responsible citizens and effective contributors;
- promotes respectful, constructive relationships, fosters high aspirations, and engenders responsibility and tolerance;
- the effectiveness and relevance of the teaching and learning approaches to meet the needs of all learners is monitored and evaluated.
- Ensure all learners and, where appropriate, their parents are involved by:
 - providing assistance to enable all learners and their parents to participate in decision making about their learning;
 - engaging all learners in setting their own goals for learning;
 - working together with parents to support the child's or young person's learning.
- Advise and support staff on the identification and assessment of all learners with additional support needs, in line with the Getting It Right For Every Child framework.
- Work jointly with parents, carers and partner agencies to establish whether the learner has additional support needs.
- Provide clear information for parents about their child's or young person's additional support needs and the purpose and outcome of any assessment or intervention.
- Ensure that learning outcomes are set out in an appropriate part of the additional support plan and as part of a staged intervention approach.

POLICY ON INCLUSION AND EQUALITY

- Ensure that reviews to monitor and evaluate progress take place, at least annually.
- Ensure that all staff have opportunities to access professional development and share good practice relating to inclusion and equality.

Within national and Council guidelines and available resources, it is the **responsibility of all staff** to:

- Promote inclusion and equality and, in their daily interactions with learners, develop an ethos of achievement, empowerment and engagement to promote self-esteem, well being and a sense of belonging.
- Understand their role and responsibility in relation to the requirements of the Education (Additional Support for Learning) (Scotland) Act 2004 as amended 2009, and follow guidance set out in Operating Procedure A28 – Additional Support Needs, including guidance on staged intervention.
- Understand their role and responsibility in relation to the requirements of The Equality Act 2010, as set out in Education Resources' Equality Statement of Commitment.
- Be aware of the wide spectrum of needs, how these affect individual learners and, where appropriate, contribute to the assessment of need.
- Provide assistance to enable all learners to express their views and encourage them to be involved in making decisions about their learning.
- Encourage the parents of children and young people to play an active part in relation to their education.

- Provide appropriate experiences and learning opportunities to meet individual needs, which ensure all learners can achieve their full potential (SLC Policy on Leading Learning, 2012).
- Ensure all learners have equality of opportunity to benefit from education.
- Consult with learners and their parents in developing and implementing Additional Support Plans/Coordinated Support Plans and setting realistic and achievable learning outcomes.
- Effectively track and monitor the progress of all learners and in particular individuals or groups with additional support needs.
- Understand and implement the principles of Getting It Right For Every Child to promote and provide opportunities for all learners and contribute to

interagency discussions as appropriate.

- Recognise the right of everyone to be treated fairly, regardless of protected characteristic.
- Participate in appropriate development in relation to inclusion and equality.

All learners, supported by their parents, have a responsibility to engage in learning opportunities to the best of their ability and to:

- Actively participate in learning activities.
- Contribute to assessment activities.
- Take responsibility for their own learning.
- Respect the rights of others to be different.
- Work together with others.



Policy statement

Policy on Inclusion and Equality

Glossary

Additional Support Needs

Resource Teams allocate school support assistants to Additional Support Needs establishments and bases to meet identified needs.

Additional support needs

tribunals for Scotland consider appeals (references) made by parents and young people against decisions of Education Authorities regarding the provision of educational support.

Additional Support Plan (ASP)

The ASP is a holistic plan. It provides an overview of the range of interventions and supports which have been agreed to meet the child or young person's additional support needs and targets to support learning.

Assessment is an ongoing process of gathering information about a child/young person and their circumstances, in order to inform decisions about the action necessary to ensure they benefit from school education.

A Child is a person who is not over school age i.e. a person who has not passed the age of compulsory schooling.

Coordinated support plan is a statutory, strategic planning document to help coordinate the provision of services for children whose additional support needs arise from complex, or multiple factors, which have a significant effect on their school education, are likely to last at least a year and which require a high level of support to be provided by an Education Authority and at least one other agency.

Curriculum for Excellence is a coherent, flexible and enriched curriculum to improve the learning, attainment and achievement of young people in Scotland. It aims to ensure that pupils achieve on a broad front, not just in terms of examinations.

Dispute resolution is the process of independent external adjudication to examine the reasons for disagreement between parents, or a young person, and an Education Authority, over the exercise by the authority of any of its duties or functions under the Act, and to make recommendations for both parties aimed at resolving the dispute.

Education establishments is the term used to cover all schools, early years centres, Universal Connections and specialist provision which we manage.

Education Services

Some services which are delivered to learners are not based in one establishment but may cover a Learning Community or locality area. This may include services provided by Community Learning and Home School Partnership, Youth Learning and others.

Extended Community Team is a team of professionals, drawn from a range of disciplines, who work together as part of a learning community in support of children and families.

Getting It Right For Every Child (GIRFEC) is a national approach which promotes a consistent way for people to work with all children and young people to promote their wellbeing. The approach helps practitioners focus on what makes a positive difference for children and young people and how they can act to deliver these improvements.

Impact assessment is a process which assesses the potential impact of policies or functions on people who currently experience difficulty or disadvantage in accessing services whether on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

Integrated assessment and the child's plan is a common means for all agencies and professionals to assess children's needs and to share information about them in order to ensure that interventions at any level lead to improvements in the child's life.

Lead Professional

When two or more agencies need to work together to help a child or young person and family, there will be a Lead Professional to coordinate that help.

Learners is the term used throughout this policy and should be read to include reference to children, young people and, where appropriate, adults who are undertaking a programme of learning in a range of school and community settings.

Learning Community Resource Teams allocate school support assistants to mainstream educational establishments to meet identified needs.

Looked After Child or Young Person is subject to an order such as a child protection order, a parental responsibilities order or supervision requirement, either whilst living at home (looked after at home) or being accommodated by the local authority in children's houses, residential schools, or foster placements (looked after away from home). See A28 Operating Procedure for further guidance.

POLICY ON INCLUSION AND EQUALITY



Mediation is a voluntary process whereby an independent third party seeks to help those in disagreement reach an agreed resolution of their differences.

Named Person is the professional from within health (birth to pre-school) or education (school years) who is responsible for the child's wellbeing during this stage of their life, communicating effectively with everyone involved.

Parent will be taken to mean all parents and carers including those with responsibility for looked after children.

Protected Characteristics are the grounds upon which discrimination is unlawful. The characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Every person has a combination of the characteristics that affects their experience of day to day life and the services they receive.

Single Agency Assessments are the documents used by the Named Person in Education to assess and support the development of children and young people's wellbeing.

Staff is used in this document to refer to all employees of South Lanarkshire Council Education Resources. It is recognised that this covers a range of designations within schools and services, including teachers, support staff, educational psychologists and a range of other education staff.

Staged intervention is the system used by educational establishments to make sure the particular needs of an individual are identified as early as possible. The purpose of this is to inform decisions about the action necessary to help them maximise their potential.

Transition stages are the times of changes in education, for example, from home to nursery, nursery to primary, moving from primary to secondary school, transferring schools within or outwith an Education Authority's area, or leaving school to move to a range of post-school destinations, including employment, further or higher education or training.

Young person is someone over school age, generally 16, who is not yet 18 years of age.

Policy statement

Policy on Inclusion and Equality

Useful links

Standards in Scotland's Schools etc. Act 2000

www.legislation.gov.uk/asp/2000/6/contents

The Education (Additional Support for Learning) (Scotland) Act 2004, as amended 2009

www.scotland.gov.uk/Publications/2009/11/03140104/0

Children and Young People (Scotland) Act 2014

www.legislation.gov.uk/asp/2014/8/pdfs/asp_20140008_en.pdf

The Equality Act 2010

www.legislation.gov.uk/ukpga/2010/15/contents

The Requirements for Community Learning and Development (Scotland) Regulations 2013

www.scotland.gov.uk/Publications/2013/03/7748

The United Nations Convention on the Rights of the Child, 1989

www.unicef.org.uk/Documents/Publication-pdfs/UNCRC_PRESS200910web.pdf

Supporting Children's Learning Code of Practice (Revised Edition) 2010

www.scotland.gov.uk/Publications/2011/04/04090720/0

GIRFEC in Lanarkshire

www.girfecinlanarkshire.co.uk

GIRFEC – Scottish Government website

www.scotland.gov.uk/Topics/People/Young-People/gettingitright

Getting It Right for South Lanarkshire's Children and Families Services Plan

www.southlanarkshire.gov.uk/download/downloads/id/8148/children_s_services_plan_first_annual_report_2012-2013

Education Scotland

www.educationscotland.gov.uk/

Equality and Human Rights Commission

www.equalityhumanrights.com/

Equality and Human Rights Commission Education guidance

www.equalityhumanrights.com/advice-and-guidance/education-providers-schools-guidance/

Curriculum for Excellence

www.scotland.gov.uk/Publications/2004/11/20178/45862

For Scotland's Children

www.scotland.gov.uk/Publications/2001/10/fscr

Supporting Children's Learning Code of Practice

www.scotland.gov.uk/Publications/2011/04/04090720/0

The Right Help, at the Right Time, in the Right Place. Strategic Review of Learning Provision for Children and Young People with Complex Additional Support Needs, 2012

www.scotland.gov.uk/Publications/2012/11/7084

South Lanarkshire Council policy documents

Communication and Consultation Leading Learning

Maximising the Use of Resources Quality Management, Wellbeing and Care

intranet.southlanarkshire.gov.uk/downloads/download/46/education_resources_policies

South Lanarkshire Council Education Resources Operating Procedure A28 – Additional Support Needs

intranet.southlanarkshire.gov.uk/downloads/file/108/a28_additional_support_for_learning





Further Information

If you need this information in another language or format, please contact us to discuss how we can best meet your needs.

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Education Resources

Policy statement Policy on Inclusion and Equality