

SUBMISSION FROM WEST LOTHIAN COUNCIL EDUCATION SERVICE

1. In general terms West Lothian Council Education Service is in favour of the preparation of a strategy document for people in Scotland who have autistic spectrum conditions. However, West Lothian Council remained unconvinced that an Act is required to achieve this. It notes that Wales, Ireland and England already have autism strategies in place. The Council would like the following comments to be taken into consideration.

Section 1(4)

2. The Council is in agreement with the content of this section which states that the strategy must be kept under review. This is important as a mechanism is required to respond to developments and new knowledge related to Autistic Spectrum Disorder (ASD).

Section 1(6)

3. The Council notes that the Scottish Ministers will seek the participation of a group of stakeholders who will be 'actively involved' in the development of the strategy, there will also be a consultation process. Should the Scottish Ministers propose any substantial revision of the strategy, active participation of stakeholders and consultation with them will again take place.

Section 2

4. The Council notes that the Bill proposes that guidance must be issued twelve months after the day the Bill comes into force, that active input from stakeholders and a consultation process will take place. West Lothian Council notes that the review of the strategy will include the assessment of the effectiveness of the guidance in the implementation process.

Section 2(5)

5. This section stipulates a range of matters that must be addressed in the guidance issued by the Scottish Ministers, including diagnosis of difficulty, identification and assessment of needs, transition planning, planning in relation to the provision of relevant services, training of staff and the involvement of lead professionals.
6. West Lothian Council considers that assessment of needs should include the needs of the family, that particular attention should be paid to post school transition and to the integrated provision of services, including health, education, social work, police and voluntary agencies.
7. The strategy will seek to address discrepancies ('post-code lottery') in Scotland by providing for national standards of service and provision.

However, the Council considers that there is also a need to take account of specific geographical and logistical situations. Local provisions and services have been developed in particular areas to take account of these. Low pupil numbers and large geographical areas may make the provision of special schools inefficient in some areas.

8. The Bill aims to ensure that where possible there are no discrepancies across locations and this is laudable. However, the Council considers that it is also important to ensure that in doing this service providers do not create discrepancies in services and provision for others.
9. Within the Education Service it is important to ensure that any redistribution or re-provision of resources does not result in a situation which could have a detrimental effect on others with additional support needs. Education Authorities have a duty to meet the needs of all pupils in an equitable way. This includes pupils who have a wide range of difficulties, for instance Down's syndrome, Attention Deficient Hyperactivity Disorder (ADHD) and Dyspraxia. It is therefore important to ensure that the autism strategy is closely linked to legislation such as the Education (Additional Support for Learning) Act 2009 and to Getting It Right for Every Child (GIRFEC.)
10. It is important to note that while the Irish and Welsh strategies are for people with autistic spectrum conditions, England has opted to restrict its strategy to those over 16 years old. In order to ensure a co-ordinated strategy for children and young people with autistic spectrum conditions the Department for Education in England has opted to give autism particular attention during the consultation on education for children with special educational needs. This ensures that strategies for children with autism are in line with, and linked to, more general legislation and guidance on a wide range of special educational needs. The green paper consultation on special educational needs will begin in England in the autumn. West Lothian Council would like to highlight this different approach with regard to those under 16 years old as a point for discussion at an early stage of preparing the Scottish strategy.
11. The Council is aware of the importance of delivering the right support and care at the right time to people with additional support needs and of the resultant long term gains in terms of health and life opportunities for the individual. It is also aware of the potential savings of early intervention and effective support.
12. The Financial Memorandum provided deals with the cost of the consultation process related to the Bill and states that this will be borne by the Government. It states 'costs of implementation are not directly attributable to the Bill, but to the completed strategy and guidance and to the extent to which the guidance is followed by local authorities'. However, in addition to providing a strategy document and guidance to those bodies responsible for meeting the needs of people with autistic spectrum conditions, the Council considers that a central review of the

cost implications of meeting the needs of an increasing number of people diagnosed with autistic spectrum conditions is essential. The Welsh strategy states that £1.8 million was allocated by the Welsh Assembly Government in 2008-09 in order to start the implement of the strategy and that further monies would be agreed for subsequent years. The figure for Northern Ireland was £2.02 million over 3 years.

Summary

13. West Lothian Council is in favour of the development of a Scottish strategy to meet the needs of people with autistic spectrum conditions and would be interested in contributing to that strategy and the subsequent guidance.
14. This consultation is concerned with the general principles of the Bill. However, the above response from West Lothian Council has also highlighted some further areas for consideration.

Liz Gajjar
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