

SUBMISSION FROM DUMFRIES AND GALLOWAY COUNCIL

1. Dumfries and Galloway Council has previously submitted separate responses on this private members bill both through the Association of Directors of Education in Scotland (ADES) and ASLO.
2. As an authority we feel that this Bill is based on a number of assumptions that are questionable. There is an assertion that there is a necessity to have legislation in Scotland specifically on autism so that we are then in line with the rest of the UK.
3. Within a children's services context we already have robust legislation in the form of the Additional Support for Learning (Scotland) Act 2009 to meet the needs of **all** children and young people with additional support needs. This is not legislation which is replicated elsewhere in the UK. While we would agree that a national autism strategy would be helpful, it is our understanding that the Scottish Government, working in partnership with the Autism Spectrum Disorder (ASD) Reference Group, have already developed a draft Scottish autism strategy. This strategy sets out what the Scottish Government in partnership with users, carers and professionals proposes to do to meet the needs of people with ASD in response to growing concerns that, whilst much has been achieved in Scotland to date, much has yet to be done.
4. Since this work is ongoing and progressing, we would strongly disagree that further legislation is necessary to take this forward. Any legislation which considers only the needs of a specifically identified group (in this case autism) runs counter to the spirit of the 2009 Act and the Getting It Right for Every Child agenda. Additionally, by singling out one particular category of need, it also has the potential to divert scarce and valuable resources away from the needs of other such groups resulting in inequitable identification, diagnosis, training and provision. Any act which identifies a single group may also lead to an overemphasis on diagnosis rather than on meeting needs and removing barriers which is the essence of the additional support for learning legislation. It is hard to see how such a single focus agenda can be reconciled against the more holistic national agenda which has already been set and widely supported within Scotland.
5. The Autism National Reference Group and other relevant bodies have completed a considerable amount of work in this area over almost a decade, although it is recognised that implementation has differed across authorities. This could be further enhanced by implementation of a national strategy for autism, delivery of which is robustly evaluated both locally and nationally. In this way an effective mechanism would be established to ensure appropriate and equitable services to those with an autistic spectrum disorder within the present legislative framework.

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