

**Education, Children and Young People Committee
Restraint and Seclusion in Schools (Scotland) Bill
11 July 2025**

The NASUWT welcomes the Education, Children and Young People Committee's call for views on Restraint and Seclusion in Schools (Scotland) Bill.

The NASUWT is the largest UK-wide teachers' union representing teachers and school leaders in all sectors of education.

SPECIFIC COMMENTS

1. Do you agree with the Bill's approach? Why?

NASUWT agrees that, to date, there has been a clear and complete abdication of responsibility on the part of the Scottish Government in providing appropriate guidance for schools. NASUWT has repeatedly and publicly insisted that clearer and better quality guidance is urgently needed.

However, the Union is concerned that the proposals set out in the Bill do not take sufficient cognisance of the nuances in this policy area, nor do they address some of the key challenges which were discussed in the Physical Intervention Working Group or raised more broadly in responses to the Scottish Government's most recent physical intervention in schools guidance.

Where the law and any tensions in definitions remain unresolved, by implementing a statutory duty the Scottish Government would be placing undue pressure on schools, local authorities and teachers. Where there is a lack of clear information, different employers will also interpret the legislation differently. There are clear implications in terms of additional workload and distraction for teachers from their core role of teaching and learning.

2. Do you think this timescale for informing parents is reasonable?

NASUWT, as a UK wide union, has stated in previous representations to the Department for Education in England that there should be no automatic presumption that parents should be informed of all incidents where restraint has been used.

NASUWT casework and member engagement activity has shown that reporting incidents to parents may place some pupils at risk of significant harm. All guidance should therefore set out the importance of evaluating these risks before any disclosure is made and in doing so this may impact the ability to meet a 24 hour deadline.

Where a decision is made to report an incident involving use of restraint or some other physical intervention to parents, it must make clear that this responsibility falls to a member of the setting's senior management team. It must not be the responsibility of the member or members of staff involved in the incident. NASUWT casework has highlighted instances where members of staff have used restraint or force reasonably and lawfully, yet found themselves subject to reprisals from parents.

Given its duty of care to its employees, no setting should place a member of its staff in this position.

To protect the member of staff further, if parents are informed, the member of staff who used restraint or another form of restrictive intervention, should not be disclosed to the parents. The NASUWT would argue that the

circumstances of the incident can be conveyed to parents without identifying the staff member or members involved.

3. Do you agree this information should be recorded, collated and reported to Parliament annually?

Notwithstanding the NASUWT's clear position that not every incident should be reported to parents if there is a risk of harm, the Union does support schools to record and report every significant incident of use of force.

Given the staff and pupil welfare issues that may arise from such incidents, it is critical that accurate records are kept.

NASUWT recognises that as well as recording data, the key is to use this data to monitor and identify patterns.

In the policy memorandum it states:

'The requirement to publish data deliberately sits at a national level, with the responsibility falling to the Scottish Ministers. This avoids any situation where school level data is published and individuals become recognisable from the data, or schools' data can be compared to each other in public. Education authorities and the inspectorate would have access to school level data across an education authority'

NASUWT is in favour of a national recording and reporting system for behaviour issues: schools must have a simple, fit-for-purpose reporting procedure and school leaders should take appropriate steps to ensure staff report all incidents of violence and abuse. The Union is therefore not against systems of national reporting, though such data should form part of a wider package of information reported, however further detailed consideration would need to be given as to the extent to which individual schools and pupils could be identifiable through national data as well as the risks of FOI requests leading to league tables being posted by national newspapers which would likely place pressure on schools to under-report.

4. What do you think about maintaining a list of training providers on the use of restraint and seclusion in schools?

The introduction of a national, standardised training programme on the use of reasonable force, restraint or other restrictive practices would ensure consistency and effectiveness. It is unreasonable for schools to have to source this training on an individual basis as opposed to a national provision, especially given the nature of the issues the training is expected to cover.

Furthermore, without scrutiny of this training, there is no quality assurance to guarantee schools are being trained appropriately in this critical issue, which could lead to risks when discharging these responsibilities.

Given the importance of ensuring practitioners fully understand when the use of force is reasonable, providing examples may help to offer reassurance to schools they are discharging their responsibilities in line with national guidance.

It may also be beneficial to include the importance of utilising de-escalation techniques as a first response, to try and minimise the likelihood of or avoid the need to use restraint. To use these effectively, education staff must be trained. This is another reason why the NASUWT supports a standardised training programme on the use of reasonable force, restraint or other restrictive practices, which would ensure all trained individuals have the same knowledge and skills to seek to resolve a situation before it escalates.

It is worth stressing that a statutory requirement and guidance document on their own, would be insufficient to embed practice and would need to go hand in hand with a training, communication and support programme, as well as be built upon an IT system for recording which is fit for purpose.

Whether training should be mandatory, however, is complex. NASUWT has always argued that such training should be voluntary, given many teachers are concerned about the risk of legal/personal injury claims and their own

liability. The Union believes that all staff should have a right to training, but we would recommend any national guidance stops short of mandating training.

5. Any other comments?

The questions posed in this consultation response are surface level at best and do not seek to address any of the considerable underlying concerns in relation to the current Scottish Government guidance or indeed the national position in relation to ASN support in schools. In order to further elucidate these matters please find enclosed as Appendices:

- NASUWT MSP Briefing: PHYSICAL INTERVENTION GUIDANCE 8 NOVEMBER 2024
- NASUWT MSP Briefing: ASN IN SCHOOLS 4 JUNE 2025

The NASUWT would be happy to meet with the Committee to discuss all of these issues in more detail.

For further information, please contact:

nasuwt@mail.nasuwt.org.uk

www.nasuwt.org.uk

Matt Wrack

Acting General Secretary

APPENDIX 1

PHYSICAL INTERVENTION GUIDANCE

8 NOVEMBER 2024

Introduction

1. NASUWT - The Teachers' Union - in addition to the support we are providing to our members across the UK, is committed to ensuring that Members of the Scottish Parliament remain informed of key information impacting our schools and colleges.
2. The following briefing is provided both to inform MSPs around the the publication of the national guidance document '*Included, Engaged and Involved Part 3: a relationships and rights-based approach to physical intervention in Scottish schools*'.

RESTRAINT GUIDANCE FAILS TEACHERS AND PUPILS

3. Despite waiting nearly a year for the publication of this guidance, NASUWT is clear that the final document fails to offer any practical advice and help to teachers and school leaders in managing situations where school staff may feel compelled to intervene and physically restrain a pupil or pupils for their own or others' safety. There is no offer of any accompanying training or resources for schools in handling these extremely difficult situations either.
4. It has been widely evidenced, both by the Union and the Scottish Government in the recent BISSR report, that teachers are experiencing increasing levels of serious disruption and violence in their schools and are being expected to put their own and others' safety on the line, as well as their careers.

5. This is an untenable position for teachers and school leaders to be placed in by the Scottish Government. NASUWT have made it clear to ministers that we reject this guidance as being completely unfit for purpose in its current form and that they must work with us to come forward as a matter of urgency with amended advice which actually supports and protects teachers and school leaders in a practical way to deal with violent incidents safely.
6. The published guidance fails to uphold the Scottish Government's duty to ensure teachers' right to work in safety, focusing almost exclusively as it does on the rights of children who may be subject to a physical intervention. It places the onus on teachers and school leaders who utilise restraint or seclusion of pupils while allowing local authorities and ministers to evade their responsibilities for providing sufficient resources and staffing to help schools manage and minimise the need for such action.
7. NASUWT is deeply concerned that this guidance will do little to nothing to address the current patchwork of local policies and advice which frequently contradict one another and which are leading to inconsistencies in the way interventions are managed across schools. Indeed, it is a total failure of the responsibility and leadership teachers and school leaders desperately need from their government on this critical issue of the basic safety of our school workforce and the pupils they teach.

NASUWT POLICY POSITION

8. At NASUWT Scotland Conference 2024 a motion on Seclusion and Restraint was passed and set clear policy which has been communicated via the working group. The motion states:

Seclusion & Restraint

Conference is concerned that in the absence of clear national guidance on seclusion and restraint/physical intervention, individual employers, including local authorities, are creating their own disparate policies leading to inconsistencies in the way conflicts, such as when a teacher or support staff colleague intervenes in a dispute between pupils, are managed across Scottish schools.

Conference calls on the Scotland Executive Council to lobby the Scottish Government to complete the national advice on seclusion and restraint/physical intervention expeditiously, ensuring that national advice will:

- a. be created in partnership with NASUWT to ensure guidance clearly reflects the views of teachers;*
- b. include clear and agreed definitions of seclusion and restraint/physical intervention;*
- c. take into account the duty of care to all in the school community by ensuring rights are not viewed exclusively through the lens of the child who may be the subject of an intervention;*
- d. have been considered through an intersectional equality lens, taking, for example, appropriate cognisance of the impact of gender-based violence, and linking to the ongoing national work of the Gender Equality Taskforce in Education and Learning (GETEL) as well as the racism and racist incidents subgroup of the Anti-Racism in Education Programme (AREP);*
- e. have been through a workload impact assessment;*
- f. avoid placing anyone in the school community in harm's way, ensuring teachers will feel safe and supported at work;*
- g. be accompanied by the right for any teacher who wishes to access appropriate training;*
- h. be supported by an investment in sufficient resources for local authorities, schools, headteachers and teachers, including the provision of supervision for teachers;*
- i. include a timeframe for national review and have appropriate mechanisms built in to allow for further revision as appropriate.*

9. While NASUWT is a member of the Physical Intervention Working Group, consensus agreement to proceed to publication via the working group was not reached. NASUWT wrote to the Scottish Government lead in August 2024 to confirm that NASUWT did not support the publication of the proposed draft. The reason for doing so was that the working group had not managed to secure national advice which:

(1) was created in partnership with the NASUWT and reflective of the views of teachers. NASUWT have engaged actively in the process of reviewing national guidance as well as responding to the public consultation. However it has not always been very easy to see many of our concerns or suggestions reflected in updated versions of the guidance.

(2) had clear and agreed definitions of seclusion and restraint and physical intervention. While the final wording of those definitions is clear, the practicalities of implementing those definitions within a real school context are not. As far back as 2021, NASUWT was raising concerns via the working group that *'teachers are going to get caught in the gaps of the existing legislative and guidance frameworks leaving them vulnerable'*. At the moment, given the overtly policy narrative within the document, it feels more like a tick box exercise from government to limit their liability rather than a helpful, practical and useful outline for schools and teachers to support them in engaging with pupils.

(3) took into account the duty of care to all the school community by ensuring rights were not viewed exclusively through the lens of the child who may be the subject of an intervention. In this aspect the guidance falls considerably short. NASUWT have an overarching concern that rights issues are addressed almost exclusively in the guidance through the lens of the child who may be the subject of an intervention. This perspective is essential, of course, but decisions about the use of interventions involve taking into account the legitimate interests of other rights holders (i.e. other students and staff). There is the fact that considerations in relation to the rights of others is touched on almost in passing elsewhere in the document (e.g. when

referencing safeguards for using staff-led withdrawal), but the need to take these rights into account should be referenced explicitly in the guidance. Given the stated commitment of the Scottish Government to the UNCRC, it will have noted the provisions of General Comment No.13 on Article 19 of the Convention which is centred on the right of children to be protected from all forms of violence. Specifically, paragraph 27 of the General Comment confirms that in cases involving violence between children, there is a duty on all responsible adults to react to and prevent such violence so that the UNCRC rights of children who are subject to such violence are respected. Similar considerations pertain where the actions of a child impacts adversely on Articles 28 and 29 on the rights of children to education.

Recognising the status of children who suffer adverse consequences as a result of the behaviour of other children as UNCRC rights-holders should be central to the approach of any government or administration that seeks to have its stated commitment to the Convention taken seriously: these children have a legitimate expectation that relevant authorities will act to uphold and protect these rights. The Scottish Government will be aware that in the context of the requirements of Article 3 of the Convention, in which relevant persons and authorities are required to act in the best interests of all children, the rights of children and adults impacted adversely by the actions of another child must be an active consideration in decision-making. It is by no means clear that the approach recommended by the CRC in relation to the rights of other children and adults has been understood correctly in the development of this guidance.

It remains important that the impact on teachers is not lost and that the need to balance rights is clear rather than an inference that children's rights obscure any adult rights.

(4) was considered through an intersectional equality lens, taking cognisance of the gender based violence as well as racism and racist incidents. Looking at GBV as an example, the national framework provides support to those

working with and in schools to develop and strengthen universal and targeted approaches to gender-based violence and states:

'utilising restorative approaches to incidents of GBV has the potential to be unsafe or retraumatising for the person who has experienced GBV. School staff should be aware that reconciliation may not be possible or advisable in cases of GBV and should not employ strategies that may cause additional distress to any person affected'

<https://www.gov.scot/publications/preventing-responding-gender-based-violence-whole-school-framework/pages/6/>

Equally the National Action on Behaviour is clear that a priority for phase 1 of implementation is:

'To provide clarity on the range of approaches and consequences that are available, including exclusion where there is no appropriate alternative, to empower staff to promote positive relationships and behaviour and respond to behaviour that impacts on learning and teaching or the health and safety of others'

<https://www.gov.scot/publications/national-action-plan-relationships-behaviour-schools-2024-2027/>

Yet the final document contains such tropes as "all behaviour is communication" and shows no understanding of the limits of restorative approaches. There remains far too much content on behaviour approaches and prevention which have not been revised to acknowledge the publication of the Joint National Action Plan on Relationships & Behaviour in August this year.

(5) will have been through a workload impact assessment. While a children's impact assessment (CRWIA) and Equality Impact Assessment (EIA) has been undertaken, there has been no workload consideration. The reason it is important that any advice or guidance considers the workload burdens associated with the approach outlined is that this will impact how well it will be able to be adopted within school settings. On the back of any workload audit, steps must then be taken to ensure that staff in schools have the time to fulfil

the responsibilities they will have. In particular, where staff may not be clear about the expectations on restraint, it is exceptionally important that there is a meaningful framework for training and support launched alongside guidance as a package. Considering the size of the document alone, this is a workload driver and prohibits ease of reference: IEI3 is far too lengthy - teachers are looking for advice on physical intervention, what they should do if a fight breaks out, a pupil is scaling a wall or a young person brings a weapon into school. This has to be a usable document, something well-thumbed and familiar; the current length is prohibitive and mitigates against that .

(6) will avoid placing anyone in the school community in harm's way, ensuring teachers will feel safe and supported at work. There remains minimal reference to staff safety and wellbeing within the document. In fact, it was acknowledged in the guidance drafting notes that the Health and Safety at Work etc... Act 1974 was incompatible with the overall approach suggested. This document should not attempt to create a hierarchy of rights - health and safety rights must be applied and cannot be ignored. NASUWT has also consistently advocated for guidance on the use of reasonable force and restrictive practices in schools and also recommended trauma support for staff, but these are greatly underplayed in the document.

(7) should give the right for any teacher who wishes to access appropriate training. While training is mentioned in the document it stops short of an entitlement merely stating "*where a health and safety risk assessment indicates restraint as a foreseeable possibility, consideration should be given to training an appropriate number of staff.*"

(8) will be supported by an investment in sufficient resources for local authorities, schools, headteachers and teachers, including the provision of supervision for teachers. This guidance places teachers and schools in an untenable position - establishing effective approaches to reducing the avoidable use of restraint and restrictive intervention requires schools to have access to high-quality sources of external advice and expertise. This includes those provided by local authorities and the NHS and is a particularly important

consideration in respect of pupils with Additional Support Needs and disabilities. We know these supports are not universally in place and, without this being remedied or even acknowledged, there is an implied fault laid at the door of teachers/schools who utilise seclusion/restraint without responsibility being accepted centrally by Scottish Government and Local Authorities for providing sufficient resources and staffing to support pupils.

(9) includes a timeframe for national review and has appropriate mechanisms built in to allow for further revision as appropriate. In our 2022 consultation response we said *'it is important that there is a timeframe for national review of the guidance. It is anticipated that the public inquiry into the death of Sheku Bayoh may make recommendations for the public sector as well as the police, and so there must be appropriate mechanisms built in to the guidance to allow for further revision as appropriate'*. While some accountability mechanisms are referenced in the document, including Local Authority duties and HMiE, Scottish Government has deftly avoided any commitment to a national review into their own guidance.

CONCLUSION

10. NASUWT believe the guidance is a missed opportunity. It has insufficient clarity and will leave children and staff in school at risk and vulnerable. To issue the document in this form has been a complete abdication of responsibility on the part of the Scottish Government. Further and better work must be undertaken to secure clearer, better-quality national guidance.

For further information, please contact:

nasuwt@mail.nasuwt.org.uk

www.nasuwt.org.uk

Dr Patrick Roach

General Secretary

APPENDIX 2

ASN IN SCHOOLS

4 JUNE 2025

Introduction

NASUWT - The Teachers' Union - in addition to the support we are providing to our members across the UK, is committed to ensuring that Members of the Scottish Parliament remain informed of developing challenges in schools and colleges.

This briefing explores the key findings across Scotland from NASUWT's ASN in Schools research.

Key Findings

Just 2% of teachers in Scotland say that the pupils they teach who have additional support needs (ASN) always receive the support they are entitled to, with over a third (35%) saying these pupils rarely or never receive the support they need.

While the number of pupils with ASN in Scottish schools is rising and their needs are becoming more complex, funding, support and the number of places in specialist provision are all dwindling.

While 92% of respondents said the number of pupils they teach with ASN has increased in the last five years and 93% said the needs of the pupils with ASN that they teach have become more complex during this time, 69% said that the level of support received by pupils they teach with ASN has decreased over the last five years.

Funding and resource pressures are evident with nearly half (47%) saying that there are pupils in their school who have been identified as needing specialist provision, but remain in their mainstream school because specialist

settings are full. 43% said their local authority has reduced the number of places in specialist settings in order to manage budgets.

Over half (53%) said the number of specialist teachers employed to support pupils with ASN in their school has declined in the last five years. 62% said the number of specialist support staff has decreased during this period.

Unsurprisingly therefore, 94% said that the workload of teachers and school leaders in their school has increased as a result of underfunding for specialist services for ASN.

Only 2% of respondents say they always receive the support they need to teach pupils with ASN effectively. 46% say they rarely or never receive the support they need.

Over half (54%) of respondents who teach in specialist or alternative provision said they had been physically assaulted by a pupil in the previous year. 59% said they had been threatened with physical assault and four in five had experienced verbal abuse. Nearly half (49%) said they experienced such abuse daily or more than once a day. Two-thirds said the abuse is increasing in severity.

Only 14% said their school always takes appropriate action to address behaviour incidents when they are reported and just 4% said the same about local authorities.

Voice of Teachers

Members were asked about their experiences of ASN provision and told us:

“There is nowhere near enough time, resources, staff to ensure that ALL ASN children receive the support they are entitled to. Pupils with behaviour needs are too often supported before children with learning needs as staff look to settle the class. The presumption of mainstream is making the job impossible to manage and is failing children with ASN”

“It is a postcode lottery depending on if your local school has a good provision or not. Being able to meet all learners’ needs depends on significant goodwill on the part of the ASN teacher and PSA staff. We do it for the kids but sometimes the system works against us to be able to do it well. Staffing is a huge concern and the formula that the council works with is insufficient.”

“I am having to work 80 hour weeks just to ensure my children are able to access a curriculum as I need to prepare individualised communication resources just so they can access their personalised and individualised curriculums.”

“Presumption of mainstream has created a cost-saving disaster in schools where staff are being expected to deal with more and more ASN planning on the back of cuts to support staff and dwindling ASN provision elsewhere. Having worked in ASN schools, I know their value in preparing pupils for a positive destination, however the current model of "square peg/round hole" is leaving pupils behind.”

“Sometimes ASN needs are so complex, the other pupils in the class are excluded due to time spent dealing with ASN issues. Support staff are too thin on the ground. I cannot remember the last time I had any support in my classroom to assist - I am talking years ago, not just days/weeks.”

“Schools are having to deal with complex needs far beyond their capacity. This has a huge impact on the learning of all pupils as children show unease when there is violence or potential threats. The dysregulated pupils find the mainstream setting extremely challenging so it’s no surprise that incidents occur. Looks like we are teaching children to accept physical assaults as the norm and I wonder if domestic abuse incidents will increase in the next decade due to us having schools where nothing is done for the needs of the regulated pupils.”

“There is no in-class support whatsoever and we often have pupils with contradictory needs in the same room.”

“I feel so angry with my local authority for making my job impossible to do. There is no job satisfaction whatsoever in this current situation. It also feels that they don’t care about our ASN children and that they think our pupils aren’t worthy of having a chance at a successful future”

“As a PT of Guidance who has been in the role for 15 years, my job has changed beyond recognition. In the first 10 years I did not refer a single pupil on to the ASD or ADHD pathway. 2 years ago I was involved in the referral process for 25 pupils on my caseload in one year. A significant increase. The time taken now is a real drain and consumes my working week.”

“Every agency around us has had cutbacks and everywhere I turn can say no role for us but I need to keep supporting the young person. Caseload size has increased with more children with complex ASN. We are expected to write Health Care plans for children with medical needs with no medical training. We have to safety plan with children who have suicidal thoughts or plans. The levels of anxiety and poor mental health has caused an increase in daily workload compared to a few years ago. Children wanting one to one support while the increasing demand from SLT grows to breaking point. I get no supervision for the horrific situations that I have to deal with. Guidance teachers in my school can’t sleep with worry about all the demands on us.

The job of a Guidance Teacher has changed so much over the years and it has become unmanageable”

“Pupils in mainstream settings are traumatised by the consistent and unpredictable outbursts and lack of control by some ASN pupils which leads to further gaps in peer relationships and causes anxiety and increased risk of school refusal among some children. While often not their fault and due to their needs, some children are unable to safely be fully involved and integrated into the mainstream classrooms but the local authority, especially in more rural or island communities, lack the alternative provision which could better meet the needs of those pupils.”

“The building is not fit for purpose and prevents the needs of the children being met: too noisy; rooms too small and shaped so irregularly that no zones can be created. Some rooms are like greenhouses, either freezing or roasting. With no blinds to block the sun, it also becomes too bright to work in. Lights are too bright and too many cannot be dimmed, some classes don't even control their own lights.”

“I have been bitten, hit, had my clothes and jewellery damaged by children who are not intending to cause harm but who have no sense of safety. I have not had adequate training in how to deal with this and the environment of our school is not safe for these children. I constantly worry that something bad will happen to a child in my care because our building has not been adapted in any way to take account of the needs of these children.”

“In the last term I have submitted at least 30 violent incident forms. I have never had any follow up or been spoken to by a member of management or been offered support after being attacked and left with black eyes and bruises, scratches, bite marks or my hair ripped out. Not once have strategies been put in to place to support the pupil or member of staff. I have been told that I work in ASN so I should expect to be abused and attacked.”

"I think we are facing an ASN crisis - taught for 32 years and the sheer numbers of pupils presenting with ASN is unmanageable compared to 10-15 years ago"

"ASN funding and staffing must be commensurate with numbers of ASN pupils, staff are at breaking point and unable to meet 'girfec' standards - pupils are being failed every minute of every day"

"The presumption of mainstream only works if there is sufficient staffing to support the learners and deliver interventions which make the mainstream environment more accessible for learners with a range of ASN. No amount of training, knowledge and upskilling people can compensate for the fact that there is insufficient funding to staff inclusion in practice. I say this as both a parent and a teacher"

"I truly believe there needs to be an overhaul of the system. Children are being placed in the wrong provision, their needs are not being met and so there is an increase in violent behaviours. Staff are not being trained and supported correctly and management are too busy ticking boxes and filling in paper work instead of supporting staff and children on the floor. Resources are stretched due to lack of budgets and again not meeting the needs of children and also making day to day teaching such a struggle when we don't have appropriate resources."

"I worry about who will stay in teaching in the future."

NASUWT ASN Campaign

Delegates at NASUWT Scotland's Annual Conference last month called for the Scottish Government and local authorities to fundamentally rethink how they fund, plan and staff ASN provision in the following motion:

ASN Support in Schools

Conference notes that Audit Scotland, in a recent briefing paper, has called for a fundamental review of planning and resourcing of additional support for learning.

Conference agrees that Scottish Government and councils must fundamentally rethink how they plan, fund and staff additional support for learning as part of core school education in Scotland.

Conference is concerned that teachers are increasingly expected to teach children with such high and complex needs in mainstream classes that they require almost one-on-one support, at the same time as teaching the rest of their class.

Conference believes that all pupils deserve to have their additional support needs (ASN) met with specialist support, yet there are concerns that the current system is failing pupils with ASN, their classmates and the teachers working to support them.

Conference calls on the Scotland Executive Council to:

- (i) engage with Audit Scotland, and thereafter Scottish Government and councils, to improve current data collection practices;
- (ii) lobby Scottish Government to disaggregate data for support assistants, setting out those who are identified to support an individual child and those who are supporting the wider school setting;
- (iii) foster links with sister trade unions representing learning support assistants (LSAs) supporting all relevant campaigns to increase LSA numbers and improve their contractual rights, including time for professional learning;

- (iv) seek increases to national funding from Scottish Government to support the necessary systemic change and
- (v) bring a motion to SNCT supporting (a) lower ratios for specialist provision and (b) calling for staffing ratios (teacher, plus support staff) formulas to be agreed for mainstream classes, which would vary dependent upon the number of ASN pupils on the register.

Actions Required

The results of our survey underline the recent damning report by Audit Scotland which heavily criticised the Scottish Government's failure to adequately fund, plan or resource its presumption of mainstream policy.

While we welcome the recent commitment from the Cabinet Secretary to look at what more might be done to support additional support needs in schools, we now need to see more detail about who and what will be involved in this review. Any discussions should certainly not be limited to just COSLA and local authorities and must include the voices of teachers.

A continued failure to get to grips with the crisis in ASN provision will have a far-reaching and long-lasting impact on young people's future life chances, the Scottish economy and on the recruitment and retention of teachers. The evidence for action and change has never been clearer.

Teachers are now routinely being placed in a situation where they are expected to teach children with such high level and complex needs that they require almost one-to-one support at the same time as teaching the rest of their class.

This is a betrayal of the duty of care which employers owe to both those pupils and to teachers. Pupils, teachers and families are being failed by the current system of ASN and the presumption of mainstream policy, under which children and school staff are being left to sink or swim.

Teachers desperately want to do their best for all the pupils they teach, but are being set up to fail by a system which is not fit for purpose.

The Scottish Government and COSLA needs to bring together the various agencies and groups who work with children and young people to develop a plan to rebuild and transform ASN provision so pupils and teachers receive the support they are entitled to expect.

For further information, please contact:

nasuwt@mail.nasuwt.org.uk

www.nasuwt.org.uk

Matt Wrack

Acting General Secretary