



Additional Support Needs Policy

Additional support needs are wide ranging and can include those who have physical or mental disabilities, children who are HIV positive, children facing short-term difficulties, children with language needs, and children with behavioural problems.

The group respects children as individuals and is committed to providing equality of opportunity for all children and families and as such is committed to the integration of children with additional support needs. The group believes that no child should be excluded because of his or her support needs or disability, and recognises that everyone will benefit when all children are given the same opportunities to share in the experience of the group.

Policy

- The group will uphold and respect the rights of the child and ensure that their needs remain paramount at all times.
- The group will encourage and support all children to realise their potential.
- The group will ensure that a child's personal care needs are undertaken only by adults who hold Protecting Vulnerable Groups (PVG) Scheme Membership
- The group will ensure that all staff members, support workers, committee and parents or carers are informed of this policy and other related policies including the group's child protection, equal opportunities and confidentiality policies.
- The group will, as far as is reasonably practical, uphold and implement the provisions of the Disability Discrimination Act.
- The group will not divulge information, other than for child protection reasons about the child to other agencies without the prior consent of the parents/carers.

Open Access

- The group is open to every family in the community. If a child has additional support needs the group will prepare for that child to join them by:
- Offering a warm welcome and support to parents or carers of a child who has additional support needs. Drawing upon the parents' knowledge in planning provision for their child
- Holding detailed discussions with parents or carers and staff to assess each child's needs to ensure specific needs are known and can be managed within the group.
- making arrangements, as far as possible, to ensure children's needs will be met by, for example:
 - providing a ramp or handrail

- providing suitable bathroom and changing facilities
- securing extra adult help where it is appropriate
- acquiring specialist equipment
- ensuring the play area is accessible
- seeking advice and support from other appropriate agencies, e.g. therapists, community specialist public health nurses (health visitors), social workers, psychologists
- ensuring staff and other adults in regular contact with the child have appropriate training
- working with parents or carers to seek funding to support these arrangements.

The Curriculum

All children will be encouraged to take part in the daily routine of the group and when outings are organised, children with additional support needs will be included.

The early years curriculum will promote positive images of people with additional support needs and offer all children the opportunity to learn about themselves and others. Within this context an awareness of illness and disability will be explored in a sensitive and caring way.

Some children may need one to one support to experience some of the activities, and where this is the case a staff member or registered support worker will be appointed to assist the child. In consultation with parents/carers full co-operation will be given to all appropriate agencies in order to ensure, as far as is reasonably practicable, that the specific needs of the child are met.

As part of routine practice, staff and support helpers will observe the child to assess his or her needs and interests. Individual plans to support the child's learning and development consistent with his or her needs, interests and stage of development will be produced and implemented. A record of the child's progress will, in collaboration with the parents or carers, be kept. The content of the record is confidential. It will be shared regularly with parents or carers who must give permission before its content can be released to any other agency.

Personal Support and Care

All children will be treated with respect and as individuals. After discussion with the child's parents or carers, all necessary personal care will be given to ensure the child's comfort, safety and well being. This will include dietary and medical care as well as personal hygiene. A written record of the discussion will be kept in the child's file.

A staff member and/or support worker will be designated to fulfil these tasks. They will hold Protecting Vulnerable Groups (PVG) Scheme Membership. Appropriate training will be given where necessary. A log will be kept of any dietary requirement or medication administered while the child is in the group.

Medication will only be administered under strict guidelines* that are agreed by parents or carers and Early Years Scotland (EARLY YEARS SCOTLAND). A Medication Administration Recording System

(MARS) will be utilised. It will show the child's name, type of medicine administered, date and time administered, dosage, name and signature of person administering medicine, name and signature of witness, time of notification to child's parent/carer when medicine has been given in an emergency. The Care Inspectorate recommend that a separate page is kept for each child within the MARS to ensure confidentiality and best practice.

Insurance

The group will inform parents or carers of individuals with additional support needs of the special terms or considerations applicable to them under the Personal Accident and Public Liability Cover in the group's insurance policy.

*The group will contact EARLY YEARS SCOTLAND Centre before agreeing to administer any routine or emergency medication. If necessary, groups will be sent the appropriate forms for completion and return to EARLY YEARS SCOTLAND. Groups will be advised of the outcome as soon as possible. EARLY YEARS SCOTLAND's *Medication in Preschool Groups* leaflet provides further information on procedures and storage of medication.

Adults with Additional Support Needs

Staff, parents, carers and visitors who have additional support needs will be welcomed and supported by the group in keeping with the Equal Opportunity Policy.

Additional Information

Disability Discrimination Acts (DDA)

The Disability Discrimination Acts make it unlawful for employers, regardless of size, to treat those with a disability less favourably because of their disability, unless they can show that the treatment in question is justified. This protection starts from the point of advertising a post, and covers everything that happens while they are employed all the way to dismissal. Employers are expected to make reasonable adjustments to ensure that the disabled person is not discriminated against. These can include:

- adjustments to premises; this still applies if a service provider operates from premises which they do not own
- allocating some of the disabled person's duties to another person
- altering their hours of working.

For small voluntary groups, the emphasis is likely to be on practical, low-cost adjustments - though more extensive developments could be considered, for example, during planned refurbishments. Simple, low-cost improvements could include installing handrails on steps, good lighting, clear signage, lowering door handles, keeping door hinges well-oiled or making sure boxes are not cluttering the floor. These changes will also benefit other users of the premises, who would include older people and parents/carers with prams and pushchairs. The Access to Work programme run by Jobcentre Plus may be able to provide financial assistance with any adjustments.

It is also unlawful for service providers including those providing pre-school services to discriminate against disabled people (both children and adults) in the provision of goods and services. Specifically, the Act makes it unlawful for the service provider to discriminate against a disabled person:

By refusing to provide a service to the disabled person which it provides to other members of the public; or

- in the standard of service it provides to the disabled person; or
- in the terms on which it provides a service to the disabled person.

The Equality Act 2010

The Equality Act 2010 brings together, harmonises and in some respects extends the current equality law. It aims to make it more consistent, clearer and easier to follow in order to make society fairer. The Act protects the same groups of people that were covered by previous equality legislation, by reference to what are now called 'protected characteristics'. These characteristics are disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Act applies to all organisations that provide a service to the public, or a section of the public (service providers). It also applies to anyone who sells goods or provides facilities.

Under the Equality Act 2010, employers may utilise positive action in recruitment and promotion. 'Positive action' means the steps that an employer can take to encourage people from groups with different needs or with a past record of disadvantage or low participation, to apply for jobs. Employers are permitted, not required to take positive action. One of the conditions of the positive action provisions is that employers must not routinely treat people with a protected characteristic more favourably; it must be used only in tie-break situations.

The Equality Act 2010 also makes it unlawful for a company to discriminate against anyone on the grounds of race, sex, pregnancy and maternity, marriage or civil partnership status, gender reassignment, disability, religion or belief, age or sexual orientation. It is also possible for employees to claim for discrimination on a combination of two of these grounds. Similarly if your employees discriminate against a colleague or customer your company could be held vicariously liable for their acts, and be responsible for paying the compensation or damages to the victim of the discrimination.

If a group can prove that it has done all that was reasonable to prevent the discriminatory acts from occurring then its liability can be reduced or entirely eliminated. Having an equal opportunities policy and apprising all staff of its existence is one of the things that a reasonable employer should do.

How does the Additional Support for Learning Act affect your group?

This very much depends on whether or not your group has entered into partnership with the local authority to provide pre-school education or not. Here is information for both types of provision.

Voluntary sector playgroups that are not in partnership with the education authority

The Act has not introduced any new duties on voluntary sector services. However, the Act and the code of practice do recognise and stress the importance of voluntary sector services, and encourages education authorities to work together with voluntary groups that are supporting children and families.

These are some scenarios where voluntary sector playgroups could be consulted and involved by education authorities:

- If a child with additional support needs is going to be educated by the authority, then at least 6 months before they are going to go to school, the education authority must get advice and information from any person they think is appropriate; this could include staff at the child's playgroup.
- Disabled children under 3 years may be referred by the health board to the education authority, to assess if they have additional support needs. Again, the authority has to get information from any person they feel is appropriate, so playgroup staff may be consulted by the authority as part of the assessment process.
- In the case where a child is attending a partnership nursery school as arranged with the local authority, and also going to a playgroup not associated with the local authority, then this playgroup might be consulted about their experience of working with the child as part of an assessment process undertaken by the authority. This would also be the only scenario when this type of playgroup would be involved in the preparation of a co-ordinated support

plan.

Voluntary sector groups in partnership with the local authority

These services are in a totally different position. The duties in the Act are on the education authority, but obviously the day-to-day practice of supporting children is carried out by the group. The education authority has to make sure that through the arrangements they make for preschool provision, children with additional support needs can be identified, assessed, supported, and that this support can be monitored and reviewed.

Partner groups will be involved in all of these aspects of supporting children. In the case of a dispute, partner staff may be invited to participate in mediation. Some partnership groups may have children who qualify for a co-ordinated support plan, and staff will be involved in the process of maintaining the plan.

The Act also gives parents of children with additional support needs the right to make placing requests to playgroups. It is for education authorities to manage this, but partner groups may be involved in discussions either with the authority or with parents. This will be new to many groups, so they may wish to familiarise themselves with their local authorities placing request arrangements.

Other parental rights include the right to request their child is assessed for additional support needs, and whether or not they require a co-ordinated support plan. Parents also have the right to request specific types of assessment when the authority has agreed to start the assessment process. Partner groups should be aware of these and other new rights.

To find out more about the DDA, contact the Disability Rights Commission (DRC). It produces a range of publications which give more information on the above, including Codes of Practice covering each part of the Act. These can be downloaded free from the DRC website at www.drcgb.org. The DRC also offers a helpline which can provide further advice and information:
DRC Helpline, Freepost MID 02164 Stratford-upon-Avon CV37 9BR

Telephone: 08457 622 633 (Monday to Friday 08:00 – 20:00) email: enquiry@drc-gb.org

Enquire is also happy to provide information about the Additional Support for Learning Act via their helpline. A range of guides and fact sheets have been produced for parents, these are also useful for practitioners. For further details contact:

Enquire, Children in Scotland, 5 Shandwick Place, Edinburgh EH2 4RG
Helpline: 0845 123 2303 email info@enquire.org.uk