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By email



Richard Leonard MSP  
Convener  
Public Audit Committee  
Scottish Parliament

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Dear Convener

Thank you for your letter of 30 May seeking further information following the evidence session on 7 May. We have set out our response below.

**Committee ask:** During the evidence session, you acknowledged the limitations of the current system and indicated that changes to data recording were being considered. However, we remain concerned that without significantly more transparent data, the Scottish Government and COSLA will continue to struggle to allocate support appropriately.

**Please can you provide more clarity on the specific steps that the Scottish Government will take in the next 12 months to improve the disaggregation of ASL data, particularly in relation to the broad categories listed in Appendix 2 of the briefing?**

**For example, if the numbers of children recorded under broad categories such as autism is increasing, it would be helpful to have more detailed and specific information on which aspects within that category are contributing to the increase.**

As stated at the evidence session on 7 May, we welcome Audit Scotland's report and agree that there is a need for more comprehensive, consistent data that can guide and support planning and provision to meet children's needs and drive improvement across the system. Achieving this aim will be a large-scale, long term and complex piece of work with multiple stages and strands involving Scottish Government, COSLA, all thirty-two local authorities and partners, including the NHS and third sector. We have therefore set out below how we intend to approach the initial stages of this work over the coming year with indicative timelines. We have also provided further detail of the work that we are already taking forward or have planned and some of the associated processes which we hope the Committee will find helpful.

The first step in making any changes in relation to data is for a process of stakeholder engagement to take place. You will recall that the 2025 Programme for Government, published in May, included a commitment to host a data summit with local authorities in Scotland as a first step towards progressing the aim of more comprehensive and consistent data. It is intended that the data summit will be held this calendar year and will fulfil a number of purposes



set out below. Decisions in relation to data will have potential implications for how pupils' needs are recorded and delivered, so it is important that proposed changes are considered carefully.

Though the full agenda and remit is not finalised, it is likely that the summit will:

- (i) Provide an opportunity to consider where and how consistency of recording and interpretation of guidance and legislation can be improved and to make recommendations on a collective basis to that effect, taking account of ongoing improvement work in local authorities.
- (ii) Provide an opportunity to consider with local authorities the current approach to the data recorded including whether the current categories of need are appropriate, or if there is merit in updating or replacing them and if there are specific gaps. Recommendations may be made on changes required.
- (iii) Identify areas for further inquiry at both national and local level
- (iv) Consider the current advice and support available to practitioners and school leaders at national and local level in applying the categories.

The summit may also consider the practicalities of linking with data work ongoing in the digital health and social care space, to reduce the variation in terminology between services and public bodies, and to better enable support through a fuller data picture being available.

We will be engaging with partners and stakeholders over the coming weeks to secure a date for the summit and will write to the Committee with further detail when it is available.

In preparation for the summit, Scottish Government officials have been considering internally what further information can be gleaned from existing data to help inform the summit deliberations. This includes considering the differences between local authorities in terms of overall ASN rates and the reasons for this. The work is also looking at the use of formal ASN plans and reported reasons for support. It also includes analysis of the data over time to help describe the characteristics of the increase in pupils who have one or more ASN.

As you may be aware, local education authorities and schools across Scotland use a specifically designed management information system to meet their operational and reporting needs. The system used for this purpose by local authorities is SEEMiS. Many national data collections use information extracted from this system. This includes the annual Pupil Census, which gathers a wide range of standardised data, including information on additional support needs. We will involve SEEMiS in these discussions as they develop.

Assuming that the summit produces consensus on changes required to the existing data collection, a variety of steps then need to be taken to operationalise that. Timescales for delivering any changes will depend on the scale and nature of the proposed changes. There would likely be a longer lead in time for any changes that required new data fields to be created and tested. Some of the steps involved in this process include:

- Agree the technical specification of the data.
- Individual local authorities make changes to their own IT systems.
- Develop and implement processes for the operational collection of the data, involving the workforce, understanding the support and training they may need.
- Collate the data nationally.
- Assess the data and evaluate whether the change has met the objective or if improvements are required.

It should be noted that if data sets are changed this will impact on the ability to make comparisons with previous years' data. Any costs associated with changes will need to be considered. It will only be possible to give more detail on timings when we have a clear view

of what changes are required following the summit and subsequent engagement with wider stakeholders. A detailed project plan and timelines will follow once we are aware of the timescales the system provider and local authorities would need to make and implement changes.

In summary, it is difficult to give firm commitments around timescales due to the scale of the work, its complexities, and the collaborative process we have outlined but we have attempted to do so where possible. As you will be aware after officials' appearance at PAC on 7 May, the Cabinet Secretary announced a cross-party roundtable with a view to scoping a review of ASL policy. The outcome of that process may affect how and when the conclusions of data summit are taken forward. The cross-party roundtable is likely to be held in early autumn this year and the review requires to be scoped including associated timescales. We will keep the Committee updated as plans develop.

**Committee ask: Please can you provide us with the Scottish Government's expected timeline for the full implementation of the National Measurement Framework for ASL including the main stages of work planned between now and its completion?**

During the evidence session on 7 May 2025, we confirmed that the first iteration of the National Measurement Framework (NMF) for Additional Support for Learning would be published in December this year.

In this context we are mindful of recent evidence and recommendations set out by Audit Scotland on ASL data and the commitment in the Programme for Government to the data summit. The outputs from the summit and the process described above will need to be considered as the work on the NMF develops.

The NMF will be embedded within the National Improvement Framework Interactive Evidence Report (NIFIER) and phase one of this work is currently underway. Scottish Government has been undertaking a review of the current NIFIER measures, as part of their wider work to refresh the data that is collected and presented through this platform to better track progress in reducing the poverty-related attainment gap by achieving the seven outcomes set out in the NIF 2025.

This first stage of work has involved establishing a draft list of revised measures for the NIFIER and NMF. The focus of the NMF measure development has been to identify ASN data to report on the scale of demand, implementation of legislation and guidance and to track progress in reducing the ASN-related attainment gap based on measures which are relevant to the seven NIF outcomes. This work is linked closely to what ASN data is currently available (and the process to improve that data by means of the data summit and associated work). Data on pupils with ASN is collected through the Pupil Census and can be linked to other education datasets. SG Officials have been exploring options, to ensure that as much ASN data as possible, is included in this first iteration of the NMF. However, the availability of ASN data from sources beyond local authorities is limited – for example health and disability data. The first iteration of the NMF will therefore also include some proxy data on e.g. disability, where available. As this work progresses, it will provide an opportunity for us to consider where there are 'gaps' in ASN data, and how we can best address these during phases two and three.

Whilst it is unlikely that the first iteration of the NMF will be able to include the outputs from the data summit they will be considered as we move into phases two and three.

A draft list of measures is ready for this phase of the NMF, and over the summer months engagement will take place on the proposed content and presentation of data within the NIFIER. As key stakeholders, we will give the ASL Project Board an opportunity to feedback on the content and presentation of ASN data in the NIFIER/NMF at their next meeting on 20 August. This feedback will be considered as part of future development to ensure the NMF meets user needs.

## PHASE 2: To commence in 2026

Objective	Actions
To improve the NMF measures within the NIFIER dashboard	<ul style="list-style-type: none"> <li>The 2<sup>nd</sup> iteration of the NMF would finetune the national data in response to wider data work underway on ASL.</li> <li>To consult with others who are using the dashboard for reporting and improvement purposes to improve the content to better meet evolving user needs</li> <li>To consider data gaps and options to address these</li> </ul>
To improve consistency of identification of ASN nationally	<ul style="list-style-type: none"> <li>To explore where the inconsistencies are in identifying ASN and collate a baseline.</li> <li>To explore what a shared approach to identifying ASN looks like.</li> </ul>

## PHASE 3:

Objective	Possible actions
To improve the NMF measures within the NIFIER dashboard	<ul style="list-style-type: none"> <li>The 3<sup>rd</sup> iteration of the NMF would consider whether local authority level data would be a useful evolution, dependent on improvements to consistency of ASN data recording – similar to the local government benchmarking framework.</li> <li>To consult with others who are using the dashboard for reporting and improvement purposes to improve the content to better meet evolving user needs</li> <li>To consider outstanding data gaps and options to address these</li> </ul>
To improve consistency of identification of ASN nationally	<ul style="list-style-type: none"> <li>To continue to identify inconsistencies and determine shared approaches to identifying ASNs.</li> </ul>
To celebrate success of learners achievements	<ul style="list-style-type: none"> <li>To evaluate approaches implemented alongside parents and learners. Amend, adopt and abandon according to feedback.</li> </ul>

**Committee ask: Tribunals – whether there is an intention to consider making mediation a mandatory step in the tribunal process (in response to Colin Beattie’s question, columns 7/8).**

As we emphasised during the evidence session, Scottish Ministers and local authorities want all concerns or disagreements in school to be resolved at as local a level as possible, where appropriate. The first step would be to engage with the class teacher, then, if required, headteacher, and then the local authority directly. Most concerns are resolved at one of these levels. If not, there are a range of dispute resolution mechanisms available under the 2004

Act; including independent mediation and adjudication, and referral to the Additional Support Needs (ASN) Tribunal.

The ASL Act places education authorities under a duty to make arrangements for the provision of independent mediation services for the purposes of seeking to avoid or resolve disagreements between parents of children and young people belonging to the authority area. This route to resolution is promoted and encouraged at every opportunity, through correspondence and advice to parents and carers at a national level, through Enquire – The National Advice Service for Additional Support Needs, and locally, through education authorities and schools. Despite this promotion and the positive outcomes it can have, mediation is often not used and referral to the ASN Tribunal is far more often the route chosen by parents, carers, and young people.

Whilst we recognise the question from committee members about whether to mandate mediation, this is not something that has been assessed as appropriate, given the need for children and families to enter willingly into the process. Mediation is considered unlikely to be successful if any party is not there by choice. To legislate for mediation, changes to primary legislation would be required, with full consultation. The policy and legal implications of placing barriers to children and young people exercising rights that they currently have would have to be carefully considered, including compliance with UNCRC, before Ministers were able to take a decision.

It therefore remains the Scottish Government's approach that service providers who deliver advocacy and legal representation services for dispute resolution under the ASL Act will seek to support parents / carers to resolve disputes with education authorities prior to a tribunal hearing. Applications to the ASN Tribunal are often withdrawn if a resolution is reached. Mediation is always recommended throughout this process, and we will continue to take this approach.

Committee members will be aware that the ASL Action Plan has communication at its core, and there are multiple actions ongoing to address a range of different concerns that have been voiced around communication of additional support for learning and how to access it. Some of these actions specifically focus on approaches to improve communication and signposting of the value of mediation, which we hope will have a positive impact on the route which children, young people, and parents and carers choose to take.

**Committee ask: ASL project board; reporting timescales – the speed with which the board is making progress (in response to Graham Simpson's question, columns 25/26).**

The joint Scottish Government/COSLA ASL Project Board meets every two months and has a commitment to publish a report every 18 months. The minutes from each Board meeting are published on the Scottish Government's website and provide insight into the discussions and actions taken by the Board, towards delivery of the ASL Action Plan. Between Board meetings, actions are taken forward by those responsible for that action.

The ASL Project Board published updated action plans and progress reports on 30 November 2022, 5 November 2024 with the most recent update published in November 2024. The next updated action plan and progress report will be published in March 2026.


**Committee ask:** Report on accreditation for pupil support assistants – work being carried out jointly between the Scottish Government and COSLA on whether training/a collective induction could be provided. The Committee would welcome sight of the report referred to, once published (in response to Stuart McMillan’s question columns 39/40).

To ensure pupil support staff can provide the best possible support for our learners, the Scottish Government undertook a comprehensive review of PSS support and accreditation which has resulted in a report exploring options for the establishment of an Accredited Qualification and Registration Programme specifically tailored for PSS professionals.

The report is expected to be published in the coming weeks. The delays experienced in its finalisation have been primarily due to competing priorities within the Scottish Government portfolio and the necessary timescales required for meaningful engagement with a diverse range of stakeholders to ensure a well-considered set of options.

We expect that the report will highlight the significant value of the readily available PSS Professional Learning Framework. It may also propose the expansion of learning opportunities for PSS through diverse formats. The Scottish Government are considering the development of a free, national induction programme to ensure a consistent foundation of knowledge and skills for all individuals entering these vital roles.

Yours sincerely,



**NEIL RENNICK**

Director-General Education and Justice,  
Scottish Government



**LAURA CAVEN**

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