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Ur faidhle/Your ref : Educational provision for children living with Duchenne Muscular Dystrophy

24 June 2020

Dear Ms Boulton and Mr Fegan

Thank you for your letter of 18 May 2020 to John Swinney, Deputy First Minister and Cabinet Secretary for Education and Skills. Mr Swinney has asked me to thank you for your letter and to reply on his behalf. I should firstly apologise for the delay in responding to your letter.

Your letter seeks that children and young people affected by Duchenne Muscular Dystrophy are supported whilst learning at home, and that their individual needs are supported as they return to school.

You may be aware that the education system in Scotland is devolved, and that the arrangements for learning, including learning at home and for return to school will be different to those in other parts of the UK. Similarly, the approach to responding to COVID-19 has been different, taking account of the different needs and impacts of the virus in Scotland. It may be helpful if I set out our approach to supporting children and young people's learning during the pandemic and the return to schools.

In Scotland, the approach to the provision of support for learning is undertaken by education authorities within the framework of the additional support for learning legislation. It requires that education authorities identify, provide for, and review the individual needs of children and young people who experience a barrier to their learning. This includes barriers as a result of health or disability, family circumstances, learning environment and social and emotional factors. I note that you indicated that many children and young people in Scotland affected by Duchenne Muscular Dystrophy would have a co-ordinated support plan.

The approach in Scotland has been that where a child or young person can learn safely at home, they should. However, it is also recognised that for some children and young people, who would be considered vulnerable there was a need for continued support. There are many reasons why this may be, but it would include children and young people who have



complex additional support needs – these needs are considered complex where support is needed from more than one agency, in addition to education, or there are more than one additional support need, which together, mean that the profile of children’s needs is complex. In recognition of the impact on vulnerable children and young people, education authorities were asked to continue to make provision for children and young people with complex additional support needs (and other vulnerable children) and have done so. In Scotland, schools closed on 20 March and this provision has been available since the 30<sup>th</sup> of March. The Scottish Government produced guidance on this support on 31 March and I include a link to it here <https://www.gov.scot/publications/coronavirus-guide-schools-early-learning-closures/pages/vulnerable-children/>

It was recognised that children and young people in Scotland were unlikely to be able to return to school during Term 4, which will end this week, and that there would be a need for parents and carers to support children and young people’s learning at home, during this time. Education Scotland has prepared a wide range of materials to support children and young people’s learning at home, and has utilised technology to do so. Children and young people have also continued to be supported at home by their schools during this period. To support parents and carers of children and young people with additional support needs, the Term 4 Guidance included information and resources to support them in their learning at home. This is available from <https://www.gov.scot/publications/supporting-pupils-parents-teachers-learning-during-term-4/>

On 21 May, the Scottish Government set out it’s strategic framework for the reopening of schools and early learning and childcare provision. This set out information on a wide range of considerations which education authorities and schools require to consider as part of planning pupils’ return to schools, including implementation of the framework within schools, which acknowledges that there are particular considerations for children and young people with complex additional support needs. The Strategic Framework is available from <https://www.gov.scot/publications/excellent-equity-during-covid-19-pandemic-strategic-framework-reopening-schools-early-learning-childcare-provision-scotland/pages/6/>

To support education authorities and schools in their planning for the return to school, the Scottish Government prepared 3 pieces of strategic guidance. These are:

The re-opening of schools guide - <https://www.gov.scot/publications/coronavirus-covid-19-re-opening-schools-guide/>

Curriculum for Excellence in the Recovery Phase - <https://www.gov.scot/publications/coronavirus-covid-19-curriculum-for-excellence-in-the-recovery-phase/>

Support for continuity in learning - <https://www.gov.scot/publications/coronavirus-covid-19-support-for-continuity-in-learning/>

The guidance on support for continuity in learning sets out the considerations that education authorities and schools should make in preparing for the return to learning. This includes particular need to consider the wellbeing needs of pupils, individual assessment and provision for children and young people with additional support needs, and the particular considerations in relation to support for transitions. Education authorities will submit their plans to Education Scotland for consideration as part of the planning for return to school.

However, there have also been further, more recent developments. On 23 June, the Deputy First Minister announced that due to the reduction in the rate of infection in Scotland the Scottish Government now aims to have all pupils return to school on 11 August. This will clearly be contingent on the continued suppression of the virus in Scotland, and the blended learning model approach will continue to be considered as a contingency, should there be a resurgence in the pandemic. It is therefore expected that all children and young people will return to school on 11 August.

At this time, the only exception are children and young people who have underlying health conditions who are shielding. The Deputy First Minister indicated this in his statement to the Scottish Parliament on 23 June, and referred to the continued need for blended learning. However, in her announcement to the Scottish Parliament today, the First Minister announced that “In addition, before the end of July we will provide further advice to those who are shielding. If we can, we want to move away from the current position of blanket guidance for all shielding people to much more tailored advice about risk and how to mitigate it.” There will be a need to continue to consider the impact on shielding to children and young people’s learning, as they will not be able to return to school until it is safe for them to do so.

I am aware that you were seeking to provide input to the Scottish Government’s guidance on these matters, and I am sorry that I have indicated that we have already provided guidance to authorities in relation to the return to school. I hope however, that the approach that I have outlined, will reassure you that the approach that we seek to take, takes account of the individual needs of our children and young people with additional support needs, as we return to learning in school.

Yours sincerely



Laura Meikle