

Schools that work for everyone – Department for Education consultation

National Deaf Children's Society response (12 December 2016)

Q: How should we best support existing grammars to expand?

It is important that expanding grammar schools are physically accessible to disabled children. In the case of deaf children, for instance, compliance with the government acoustic standards set out in Building Bulletin 93: Acoustic design of schools – performance standards is necessary. Additional capital funding may be necessary to ensure these standards can be met.

To ensure deaf pupils can reach their true potential, teachers in grammar schools may require support and training if they have had little previous experience of teaching deaf children.

Q: What can we do to support the creation of either wholly or partially new selective schools?

The National Deaf Children's Society has a number of significant concerns about the impact of increased selection on the overall quality of education for deaf children. We are disappointed that the consultation makes no reference to children with SEND, despite being entitled "Schools that work for everyone". Local authority education budgets are already under immense pressure and we are aware of a number of local authorities which are making cuts to services for deaf children. Many local authorities are also still struggling to implement part 3 of the Children and Families Act in terms of support to children with special educational needs and disabilities (SEND). It is anticipated that forthcoming changes to education funding will result in a number of local authorities seeing cuts to their High Needs budget over time. Of all the different things that the Government could do to improve outcomes for deaf children, we do not believe that the proposals contained in this consultation are the most sensible ones to take forward.

If the Government decides to proceed, despite these concerns, we set out below a number of considerations and risks that should be considered if the proposals are to avoid significantly disadvantaging deaf children.

a) Access to specialist education services for deaf children

Support from specialist education services is vital in ensuring that deaf children can gain entrance to and achieve at a grammar school. Local authority sensory services told us that the key determinant of whether a child achieved academically was not whether the school was selective but instead how they were supported within the school. For instance one respondent stated: *"Deaf pupils must receive appropriate support according to assessed need, regularly reviewed, regardless of school placement."*

Specialist Teachers of the Deaf provide key support in the admission process to ensure reasonable adjustments are made. Once a child has enrolled, the service should provide support by working with the pupil and advising staff on accessibility and teaching strategies.

When a deaf child enters and achieves within a grammar school, there is a danger that some local authorities will take the view that, as the child has relatively high academic achievement, they do not need additional support. This in turn could impact on an academically gifted deaf child's ability to achieve their full and true potential while at a grammar school. It's therefore important that local authorities support children equally according to their needs, including with access to Education, Health and Care plans.

b) Funding of specialist education services for deaf children

As deafness is a low incidence need, many school staff have had limited training, knowledge and experience of teaching deaf children. We have a concern that the non statutory nature of these services means that their future is at risk as local authorities face increasing pressures on their High Needs Block. Consideration must therefore be given to how the future of such services can be secured to ensure fair admissions and progress at a grammar school, and more widely.

At present, the National Funding Formula (NFF) for allocating money to schools uses proxy indicators for SEN (deprivation and lower prior attainment). This may provide an appropriate fit with the real distribution of children with SEN in schools in a comprehensive non selective system (although it is questionable whether this is the case for low incidence needs such as sensory impairment and physical difficulties). It is questionable, however, whether the NFF does provide a good enough “fit” with the distribution of need in a selective education system.

This is because in a selective system you are more likely to see children who are high functioning (for instance autism, dyslexia hearing impairment, vision impairment, etc.) in grammar schools as they have the same range of cognitive abilities as non-disabled children. These children will have additional support needs (equipment, access to specialist teachers, behaviour support programmes, teaching assistant support, mobility training and support, touch typing training, etc.). The cost of meeting their needs are not insignificant. Indeed, given the likely increased pace in the delivery of the curriculum and increased expectations, they may need more support to succeed and reach their true potential.

However, these children are unlikely to attract lower prior attainment funding or deprivation funding. If a selective system is to be introduced, this raises a concern over how grammar schools will be funded to ensure they can support the additional learning needs of children with SEN given they won't get additional learning support money through the deprivation or lower prior attainment route.

The worry is that if grammar schools do not receive SEN funding through the formula budget it will act as a greater incentive for them to tell parents of disabled children that they are unable to fund the reasonable adjustments necessary to meet their needs.

A separate risk is that the introduction of grammar schools could, as an unintended consequence, lead to increased demand for special school placements, particularly if parents perceive that local non-selective schools are not as able to meet the needs of their child but their child is unable to gain entry to a selective school.

In light of these concerns, we therefore recommend that the Department increase the High Needs Block to allow for these likely funding pressures.

c) Accessible entry examinations

We have found that local authorities have quite varied procedures in place for supporting deaf children during admissions tests where some are more actively involved than others whilst others are not involved at all.

More generally, we believe it is difficult to identify the potential of deaf children in secondary education at the age of 11 years. Some children may experience a delay because of hospital appointments (for example deaf children who may have undergone cochlear implant surgery may miss a significant amount of schooling at a critical point). Some deaf children (including those with a significant temporary loss such as glue ear) may experience delay in language due to their hearing loss but nevertheless have high levels of cognitive skills. As admission tests require deaf children to have age appropriate language and literacy, this can act as a barrier to these children

gaining a place at a selective school. As one of the respondents to our survey of local authority sensory support services stated: *“linguistic delays make exams more challenging and also may lead to ability being underestimated”*.

We recommend that the Department consider introducing a more robust standardised procedure for supporting these pupils through admissions tests across England with enough flexibility to accommodate deaf young people whose potential is overshadowed by language delay. To ensure the tests themselves are appropriate for deaf children, we believe that Teachers of the Deaf must be able to oversee the development of tests and/or require Ofqual to oversee the exams to ensure they are accessible.

d) Ensure sufficient capital funding

As set out earlier, ensuring that grammar schools are accessible to disabled young people will be important. We recommend that the Government ring-fence a portion of the capital funding announced in the Autumn Spending Review to ensure that schools receive any investment they need to:

- Avoid situations where disabled pupils who meet entrance requirements are told they cannot or struggle to fully participate in teaching and learning and the life of the school because of poor acoustics, lighting, physical access, etc.
- Meet their statutory duties under the Equality Act to carry out accessibility planning for disabled pupils. In particular, to *“implement accessibility plans which are aimed at: increasing the extent to which disabled pupils can participate in the curriculum; improving the physical environment of schools to enable disabled pupils to take better advantage of education, benefits, facilities and services provided”* (see paragraph 429 of DfE guidance to schools on the Equality Act)

e) Transport costs

It is highly probable that the government proposals will increase home to school transport cost if parents of deaf young people seek placements at a grammar school that is not their nearest school. It will be vital that additional funding is provided to local authorities and that this funding is not taken from that earmarked for the Dedicated Schools Grant.

f) Strategic SEN responsibilities

Under the Children and Families Act, local authorities must keep SEN provision under review to ensure it is sufficient to meet the needs of children in the area. We note that very few grammar schools, if any, contain specialist SEN provision within them in the form of a resource provision, base, unit, etc. This is presumably because of the selective nature of the school. If more schools become grammar schools, this may make it harder for local authorities to fulfil their strategic SEN duties to oversee SEN provision as there will be fewer schools available where it could set up specialist SEN provision within a mainstream setting.

Q: How can we support existing non-selective schools to become selective?

N/A

Q: Are these the right conditions to ensure that selective schools improve the quality of non-selective places?

In light of our comments earlier about language delay for some deaf young people, we would support a condition that ensures young people can join at different ages but:

- The admissions criteria in such circumstances must make reasonable adjustments so that deaf pupils are not placed at a substantial disadvantage

- Such an arrangement should not be used as an excuse to delay the admission of deaf pupils in Year 6 who have with good academic potential but experiencing language delay. There must still be flexibility within admission tests to allow admission of young people whose potential is overshadowed by language delay.

Q: Are there other conditions that we should consider as requirements for new or expanding selective schools, and existing non-selective schools becoming selective?

As set out earlier, we believe that school premises must be accessible to deaf young people. Compliance with acoustic standards should therefore be a condition of allowing existing selective schools to expand or existing non-selective schools to become selective.

It is suggested in the consultation paper that another condition should be that schools partner with an existing non-selective school to share resources, assist with teaching, etc. To ensure that deaf children and other children with SEN benefit from these proposals, we recommend that a new condition be added that the selective school must take specific action to improve the outcomes achieved by children with SEN in the area. This could involve working with a local special school or a local special education services. Whilst the selective school is unlikely to have much knowledge of teaching disabled children, we would like to see them sharing resources and helping to improve teaching. This could work as a partnership where the selective school in turn learns about accessible teaching to disabled young people.

Q: What is the right proportion of children from lower income households for new selective schools to admit?

N/a

Q: Are these sanctions the right ones to apply to schools that fail to meet the requirements?

N/A

Q: If not, what other sanctions might be effective in ensuring selective schools contribute to the number of good non-selective places locally?

N/A

Q: How can we best ensure that new and expanding selective schools and existing non-selective schools becoming selective are located in the areas that need good school places the most?

N/a

Q: How can we best ensure that the benefits of existing selective schools are brought to bear on local non-selective schools?

N/A

Q: Are there other things we should ask of existing selective schools to ensure they support non-selective education in their areas?

N/A

Q: Should the conditions we intend to apply to new or expanding selective schools also apply to existing selective schools?

Yes.