

SEND review: Right support, right place, right time (2022)

National Deaf Children's Society policy briefing

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Summary

The SEND Review sets out a bold ambition to “ensure that every child and young person has their needs identified quickly and met more consistently, with support determined by their needs, not by where they live.” We strongly support the aims of the review and the focus on ending the ‘postcode lottery’ – parents of deaf children have long told us that the system does not always work well for them.

We also strongly support the ambitions set out in the Schools White Paper for 90% of children to achieve expected standards in reading, writing and maths in primary education by 2030. Given that in 2019 only 44% of deaf children reached this milestone¹, the SEND review must deliver on these ambitions for deaf children also.

We have identified five priority areas that we believe the SEND review needs to address to make a difference for deaf children and young people. This briefing also outlines some initial thoughts on other aspects of the review.

A primary concern is the lack of the focus within the SEND review on the specialist SEND workforce. We believe that investment in Teachers of the Deaf and other specialist staff is the single biggest step that the Department could take to restore confidence and achieve their goals on early intervention and inclusion.

Our priority areas for the SEND review

Priority area #1: More Teachers of the Deaf and more money for specialist education services

- Teachers of the Deaf play a crucial role in ensuring that deaf children achieve good language outcomes. As well as advising on and supporting the inclusion of deaf children in mainstream schools, their early intervention work with families of pre-school deaf children also helps to ensure the best possible start in life for deaf children. Parents of deaf children repeatedly tell us how important this role is.
- Despite this, there has been a 17% decline in the number of Teachers of the Deaf since 2011.² Families also tell us that specialist support is increasingly being rationed and that more money needs to be spent on related specialist support, such as radio aids and deaf awareness training.
- The SEND review did not announce any plans to develop a more substantive specialist SEND workforce strategy nor any action to address the decline in the number of Teachers of the Deaf. **We believe this is a significant oversight.**
- We believe it will be very difficult to see a step-change in the number of deaf children reaching expected standards in reading, writing and mathematics in primary education by 2030 unless there are sufficient numbers of Teachers of the Deaf to support the early development of language skills in deaf children and to provide advice and support to mainstream teachers.
- The sensory impairment sector is currently developing a new apprenticeship pathway which may eventually release funding to train new Teachers of the Deaf. However, assuming this is successful, it will be several years before any new Teachers of the Deaf qualify as apprentices. As such, this does not obviate the need for urgent action now to address the gaps in the specialist workforce for deaf children.

¹ www.ndcs.org.uk/media/6917/ndcs-note-on-attainment-data-2021.doc

² www.ndcs.org.uk/media/7641/cride-2021-england-report-final.pdf

Priority area #2: Mainstream teachers and SENCOs to have better deaf awareness.

- Deaf young people tell us that they face a lack of deaf awareness in education. A survey by our Youth Advisory Board reported that that only 20% of deaf young people felt that all their teachers showed good deaf awareness. The impact of poor deaf awareness become particularly clear during the pandemic where face masks and a lack of subtitles when home learning presented serious challenges to their learning and socialisation.
- Over half of teachers will teach a deaf child during their career. Yet 68% of teachers say they aren't confident they can teach deaf children effectively and 96% said if they were teaching a deaf pupil, they'd need ongoing support from someone with expert knowledge, such as a Teacher of the Deaf. However, more than a third (37%) had received no such support.³
- The SEND review acknowledges that teachers lack confidence in teaching children with SEND and goes on to state that they "have already begun to deliver a transformed professional development pathway for teachers, with high-quality training at every step of their career." However, as far as we can tell, no steps have been taken to incorporate deaf awareness into this, with this not being included in the core framework for training providers nor the mandatory minimum entitlement for all trainee teachers.
- **We believe that deaf awareness should be part of initial and ongoing training for both teachers and SENCOs.** All teachers should have a basic understanding of deaf children's needs and know how, and when, to get specialist support to teach a deaf child.
- The SEND review proposes to introduce a new qualification for SENCOs, as well as a new qualification with a specialist option in SEND for FE teachers. In both cases, we believe these will have limited benefits in practice for deaf children and young people unless they are both mandatory and include core information on deaf awareness.

Priority area #3: The mandatory involvement of Teachers of the Deaf in the integrated review for all deaf children aged two

- More than 90% of deaf children are born to families with no previous experience of deafness, so early support is crucial to building a strong home learning environment and to give each child strong language and communication skills.
- The SEND review makes a commitment to explore ways to "upskill early year practitioners" and "encourage further integration" with the inclusion of "any relevant professionals" in the two-year checks for children. We support this commitment, but to secure this aim for deaf children, **we believe it should be a requirement that Teachers of the Deaf be involved in this integrated review.** Parents tell us that this joined up partnership working between and sharing of specialist insight between Teachers of the Deaf, health visitors and early year practitioners helps to make sure that the integrated review is genuinely holistic and joined up.
- However, our figures⁴ show that 53% of local authority specialist education services do not contribute information to the integrated review (or do so only for a few children) whilst only 14% reported that they contribute information for all or nearly all deaf children. In light of this, we believe it is necessary to require the involvement of Teachers of the Deaf in the integrated review on a statutory basis in the same way their involvement is also required in assessments for Education, Health and Care plans.

Priority area #4: The Government should set out its expectations for reasonable adjustments under the Equality Act

- The SEND review proposes the creation of new national standards as a way of helping to ensure more consistency in the experiences of children with SEND. We support this aim. With more than 90% of deaf children born to hearing parents, many parents of deaf children report feeling uncertain what

³ Figures taken from a Teacher Tapp survey of 5,332 teachers in July 2021.

⁴ Figures taken from the CRIDE 2022 survey for England – report due to be published later this year. Figures available on request.

support for their child they should reasonably expect and what reasonable adjustments might look like in practice, particularly in the vital early years.

- In addition, around 78% of school-aged deaf children in the UK go to mainstream schools where they may be the only deaf child.⁵ Too often, we see instances of where deaf children have had to fall behind before they get the support they need. We want to see a much stronger focus on Equality Act duties with education settings and local authorities proactively making the reasonable adjustments that deaf children to thrive, without waiting for them to fall behind.
- The SEND review indicates that the national standards will include information on best practice in reasonable adjustments for children with sensory impairment. As such, **we think that the national standards have potential in terms of securing more consistency in the support that deaf children receive.** To achieve this goal, we would be looking for the standards to include a number of deaf-specific standards including around, for example, early identification of deafness, involvement of Teachers of the Deaf, deaf awareness in education settings, provision of assistive hearing technology, specialist classroom support, improvements to the listening environment and access to sign language.
- At the same time, there are a number of risks in how any new national standards are drafted and introduced. The detail will be crucial. In particular, there must be no narrowing of existing legal rights and any new national standards must not constrain parents' current rights to appeal. Parents will also need reassurance that the national standards will not in themselves lead to any reduction in individual support. We believe the Department for Education should provide urgent reassurance on these points.

Priority area #5: Stronger guidance on careers advice with links to employment schemes

- Too few deaf children and young people receive specialist careers advice that focuses on their needs. As a result, many have limited expectations for what they can achieve and are not properly supported to enter the workforce. This leads to only 55-58% of deaf people being in employment, compared with 81% of non-disabled people.⁶
- For these reasons, **we strongly welcome the commitment in the SEND review to “roll out improved careers guidance**, including better information about the support that is available to them as they move into work” and “to develop statutory guidance for local skills improvement plans as part of the approach to addressing the SEND employment gap and improve the employment prospects of young people with SEND.”
- We look forward to working closely with the Department to support this aim. In particular, we will be pressing for guidance to be strengthened to require schools, colleges and local authorities to work together to ensure deaf children and young people are provided with specialist careers advice. This advice should contain links to work-based training opportunities (i.e. apprenticeships, traineeships and supported internships) and employment schemes such as Access to Work and Jobcentre Plus programmes. We also look forward to supporting Careers Hubs and the Careers & Enterprise Company to achieve these aims.

Our response to other SEND review proposals

New local SEND partnerships and local inclusion plans

- The SEND review proposes new statutory local SEND partnerships that will develop local inclusion plans. We welcome this in principle. However, given that deafness is a low incidence need, we believe there is a high risk that specialist services and provision for deaf children may be overlooked by any local SEND partnerships. It will therefore be important that legislation requires local SEND partnerships to cover and include the different needs of different types of children with SEND.

⁵ www.ndcs.org.uk/media/7641/cride-2021-england-report-final.pdf

⁶ <https://learningandwork.org.uk/resources/research-and-reports/disability-employment-from-pandemic-to-recovery/>

Cross-border commissioning

- The SEND review states that “for some types of provision a regional approach may be more appropriate” and proposes that “the national system encourages more commissioning at a regional level”.
- We would support this. As deafness is a low incidence need, we believe it would make sense for many services to work together to ensure that the diverse needs of deaf children can be met.
- At the same time, we note that this kind of cross-border commissioning is already encouraged in the current SEND Code of Practice. As far as we are aware, there has been no notable trends towards local authorities working together over the past 10 years. As such, we believe the Department needs to introduce stronger levers and incentives to ensure local authorities work together where this would be beneficial for deaf children.

Proposed changes to the process for naming a school place within an Education, Health and Care plan

- We are pleased that the SEND review makes clear that a specialist placement is needed for some children. For deaf children, a specialist placement may be necessary because their language is significantly delayed or they have an identified need for a deaf peer group for their emotional wellbeing.
- At the same time, we are concerned about proposals for local SEND partnerships to create “tailored list of settings” for parents to choose from. We believe that any such list should only be for the purpose of informing parents about possible options for their child, including national specialist provision for deaf children. We could not support this proposal if it became a mechanism to constrain choice.
- We are also concerned about proposals for mandatory mediation. Given that most appeals currently find in favour of families or are conceded by local authorities, we believe the focus should be on improving local authority decision-making and ensuring they are held to account for failures to follow SEND legislation. We could not support any measures to constrain or delay parents’ right to appeal.

National banding and tariffs

- The SEND review proposes the introduction of a new national framework of banding and price tariffs for high needs funding. We do not support these proposals. We struggle to see how it can be possible to meet the individual and changing needs of deaf children in a flexible, responsive way in a system of fixed national bands and costs. We are also concerned that national bandings and tariffs will introduce more conflict into the system and lead to spiralling costs.

Accountability

- We remain concerned that the accountability framework around the SEND system is insufficiently weak and that it still relies too much on parents to hold others to account. For example, parents of deaf children have told us they would like to see more checks on whether schools and local authorities are fulfilling their statutory responsibilities around Education, Health and Care plans.
- Whilst the SEND review includes a section around accountability and on the role of different bodies, we think it should set out in more detail what the different bodies involved will actually do in practice to ensure that SEND laws and guidance are followed. For example, it is unclear how the Department for Education would quality assure and review the proposed new local inclusion plans, how parents could raise any concerns they might have about the inclusion plans not meeting the national standards, and what action parents can expect the Department to take in response to any such concerns.
- We are concerned that a failure to clarify and strengthen the accountability framework will undermine the success of any new reforms and discredit the reforms in the eyes of parents of deaf children.