

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

National Deaf Children's Society policy briefing

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Summary

The SEND Review consultation 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.

Over the last few years, 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 summarises if and how the SEND review addresses these priority areas. We also outline 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, etc. is the biggest single step that the Department could take to restore confidence and ensure that deaf children, families and mainstream teachers all receive the specialist knowledge, advice and expertise needed to promote deaf children's development.

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.
- Despite the importance of this role, there has been a 17% decline in the number of Teachers of the Deaf since 2011.² Families also tell us that more money needs to be spent on related specialist support, such as radio aids and deaf awareness training.
- Furthermore, 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 SEND review included measures to recruit 200 more educational psychologists and to create a new qualification for SENCOs. However, it 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.**
- 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 apprenticeships. As such, this does

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

not obviolate the need for urgent action now to address the gaps in the specialist workforce for deaf children.

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

- Deaf young people tell us that they face a lack of deaf awareness in education. This has been 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 teacher training. 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.
- Separately, the SEND review refers to ongoing work to develop an apprenticeship for further education teachers and states that "any new qualification is likely to include a specialist option in SEND for FE teachers to support learners with additional needs." The direction of travel is positive, but we believe that the Department should go further. Information about SEND should be required, rather than optional and the Department should commit to it being included, rather than it just be 'likely'.

Priority area #3: The mandatory involvement of Teachers of the Deaf in progress checks 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.
- By law, all children should have a progress check at age two, but just 37% of services say that Teachers of the Deaf contribute to these reviews for all deaf children in their area.⁴ Their expert involvement is crucial when assessing language development for deaf children.
- The review proposals make a commitment to exploring ways to "upskill early year practitioners" and "encourage further integration" with the inclusion of "any relevant professionals" in these two-year-old progress checks. We support this commitment and, to secure this aim for deaf children, we will be pressing for the involvement of Teachers of the Deaf in these checks to become mandatory. We believe that their specialist involvement will help to identify any gaps in support and ensure early years settings know what they need to do to make sure deaf children are 'school-ready' before their first day of school takes place.

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

- Around 78% of school-aged deaf children in the UK go to mainstream schools where they may be the only deaf child.⁵ Over the last year, the pandemic has highlighted the challenges of the lack of deaf awareness that deaf children were already facing at school. As set out earlier, remote learning was

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

⁴ www.ndcs.org.uk/media/6502/cride-2016-england-report-finaldocx.pdf

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

often inaccessible and teachers were not always aware of the detrimental impact of face coverings on communication with deaf children.

- We are pleased that the SEND Green Paper recognises that many children with additional needs “do not have needs that, in and of themselves, should prevent them from achieving in line with their peers.” We believe this applies to deaf children who should be achieving the same range of outcomes as all children.
- At the same time, we believe that the SEND system is inherently reactive in nature, meaning that too often, children have to fall behind before they get the support they need. Instead, we want to see a much stronger focus on the Equality Act duties. These should be built into the SEND system, with education settings and local authorities proactively making the reasonable adjustments that deaf children to thrive, without waiting for them to fall behind.
- We are extremely pleased that the SEND Review includes proposals to create new national standards which will include “best practice in reasonable adjustments for disabled children, such as those children with a sensory impairment.” We look forward to setting out our views on what these should include for deaf children.

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 national SEND standards

- The SEND review proposes to establish new national SEND standards that will include standards on what should be available in mainstream settings and when specialist provision should be available.
- Given the postcode lottery that currently exists, we support efforts to ensure more consistency in the experiences of deaf children, as well as clarity for parents on what they should expect. At the same time, we believe that any such national standards should take into account the different needs of different types of SEND. There should also be sufficient flexibility in the system to accommodate the individual needs of deaf children, as needs can differ vastly from child to child. National standards should enable, rather than constrain, the right support for deaf children.

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

New local SEND partnerships and local inclusion plans

- The SEND review proposes to “legislate to enable statutory local SEND partnership arrangements that bring together representatives across early years, schools, further education, alternative and specialist provision, in addition to health and care partners and other partners” and for these partnerships to work with parents to create a local inclusion plan.
- 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.

Regional 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 across a region to ensure that the diverse needs of deaf children can be met.
- At the same time, we note that regional 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 consider whether stronger levers and incentives are needed 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 because local mainstream schools have failed to secure effective inclusion. It may also be because they have an identified need for a deaf peer group for their emotional wellbeing.
- At the same time, we are concerned by proposals for local SEND partnerships to create “tailored list of settings” for parents to choose from. We believe that any such list should be for the purpose of informing parents about possible options for their child, including national specialist provision for deaf children. It should not be used as a mechanism to constrain choice.
- We are also concerned about proposals for mandatory mediation and the potential use of independent review mechanisms for parent appeals to Tribunals over EHC plans. Given that most appeals currently find in favour of families or are conceded by local authorities, we believe the focus should be on local authority behaviour, reducing the necessity of appeals and ensuring timely resolution of any disputes. We would also only support the use of independent review mechanisms if the purpose was to scrutinise the reasonableness of the local authority position. We would 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, matched to levels of need and types of education provision set out in the new national SEND standards.”
- Whilst we welcome the commitment that these will “sufficiently meet the cost of provision”, we have reservations about how this might work in practice. We believe it will be important there is sufficient flexibility in any national banding system to still allow for the needs of individual children to be met.