



**Response to the Department for  
Education consultation:**

**“Support and aspiration: A new  
approach to special educational needs  
and disability”**

June 2011

Submitted by the Sheffield Parent Carer Forum

## **About us**

The Sheffield Parent Carer Forum was established in 2008. It is now the largest parent-led network of families with disabled children in Sheffield.

Our main aim is to make sure the needs of our children are met. We bring together parent carers across Sheffield to support each other, share information, and influence policy.

[www.sheffieldparentcarerforum.org.uk](http://www.sheffieldparentcarerforum.org.uk)

## **Introduction**

On the 9<sup>th</sup> of March 2011, the Department of Education published a Green Paper entitled "Support and Aspiration: a new approach to Special Educational Needs and Disability". This publication marked the start of a four-month consultation period.

In order to gather parents' views on the Green Paper, the Sheffield Parent Carer Forum held a consultation workshop on the 10<sup>th</sup> of June 2011. The workshop was attended by 18 parents/carers of children with a wide range of disabilities and special educational needs (SEN), spanning all age groups from pre-school to post-16.

Since most parents had not read the Green Paper, the Forum's Development Worker summarised the key points from each chapter. Following the presentation on each chapter, parents split into three groups to each discuss a different question related to the chapter. Conclusions were fed back to the whole group, often prompting further discussion.

The workshop report was circulated to the Forum's email list (220 members). Additional feedback received from individual parents after the workshop is listed in the appendix.

## **Acknowledgements**

We would like to thank our members for their contributions to this response. A big thank you also goes to Edmund Cross for facilitating the consultation workshop.

# Chapter 1: Early Identification and Assessment

**What can be done to strengthen the early identification of SEN and disabilities, and support for children with them?**

Question

1

Parents welcomed the proposal to improve early identification through health and developmental reviews and extra health visitors. However, they cautioned that early identification will only help children if a specialist early intervention programme is then put into place without delay. Parents emphasised that access to support should not depend on having a diagnosis.

**Training:** Some impairments cannot be identified at the pre-school stage, and identification of school-age children must also be improved. Health visitors, school nurses, GPs, Early Years professionals and school staff must all be trained to spot the early signs of “hidden” disabilities, and this should be embedded in their initial training. Early identification also requires a culture change – professionals must be willing to diagnose children earlier, and they must take parents’ concerns seriously. School staff need to understand that children who are “bright” can still have significant additional needs. Staff need to feel confident they will not be seen as incompetent if they ask for advice.

**Access to specialist advice:** Professionals and practitioners who suspect a problem need a clear referral process, and quick and easy access to specialist advice. There is a risk that funding cuts may lead to reduced access to SEN support services, forcing schools to prioritise those pupils who have the most urgent needs, rather than those who are only just starting to give cause for concern. Schools should be required to follow advice from non-statutory services (e.g. private dyslexia tuition).

**Screening:** All pupils should routinely be screened for dyslexia, and screening tools should reflect scientific advances (e.g. Q-CHAT test of autism). Particular attention should be paid to children who have a family history of a highly heritable disorder, e.g. autism, dyslexia, ADHD.

**Do you agree with the proposal to replace statements with a single statutory assessment process and an “Education, Health and Care Plan”?**

Question

2

Parents generally welcomed the proposals for a more holistic approach, but expressed doubts about how well different agencies would work together in practice. Parents worried that the transition from statements to EHC plans

could be used as an opportunity to re-assess statemented children against tighter criteria, causing them to lose their entitlements.

**Joint working:** There is a need for better partnership working and better communication between agencies. Funding arrangements are crucial in this respect; funding must not be fragmented, and only one body should be in charge of, and accountable for, the budget for disabled children.

**Key workers:** Access to key workers should not be limited to the assessment process, but should be available to families as and when they need this support. Key workers should be properly trained, properly funded and independent. They should be able to get to know the child and act as an advocate. Key working should not be an add-on to an existing role.

**Statutory protection:** There should be the same statutory obligation on health and social care to provide services specified in EHC plans as there currently is on local authorities to deliver the educational provision set out in a statement. The SEND tribunal must have the power to make orders across all three areas of provision. Parents must be able to trigger the assessment process themselves.

**Which parts of the statementing system are currently working well and should be preserved, which do not work well and need to be changed?**

Questions  
3, 4

There was a general feeling that the earlier a child was diagnosed, and the more clear-cut and predictable a child's needs, the better the system worked. Parents of children who are diagnosed late, or who do not have a clear diagnosis, find it very difficult to get a statement.

**Review process:** The annual review system is not working and must be improved. Currently, reluctance to update statements means that most children's statements are several years out of date. Statements or EHC plans should be active, live documents.

*"My son's statement still mentions toilet training. My son is now eight and has been toilet trained for years!"*

**Accountability:** Accountability for provision specified in statements is unclear – parents get passed from pillar to post between NHS, local authority and schools.

**Eligibility:** Quiet children and children who do not underachieve academically often get overlooked. Whether these children get a "good" statement (or even a statutory assessment) depends on how hard their parents are willing or able to push.

*"The system must work for children even if their parents do nothing."*

## Chapter 2: Giving parents control

### How effective will expressing a “preference” for a school be?

Questions  
14, 15

Parents felt that expressing a preference for a school place subject to the three caveats already in place (not meeting the needs of the child, incompatibility with the efficient education of other children, inefficient use of resources) would not really make any difference.

*“I don’t want “choice”, I just want to be confident that my local school will welcome my child and meet his needs.”*

**Oversubscribed special schools:** Parents who want their child to attend one of Sheffield’s excellent, and heavily oversubscribed, special schools or Integrated Resources often find that their “choice” is limited to choosing the least worst mainstream option. Parents asked how the government intended to improve parental choice in this case – in particular, whether the caveat of incompatibility with the efficient education of other children could be used to refuse requests for places at oversubscribed special schools.

**Information:** Parents cannot make informed choices without relevant, up-to-date information about schools. This should include written information (e.g. on admissions criteria, specialisations, staff training) as well as objective advice from professionals who know the child and the schools.

**Funding:** Funding should follow the child, to avoid schools discriminating against disabled pupils.

### What do you think an optional personal budget for families should cover?

Question 12

There was not much enthusiasm for this proposal, with most parents stating that a personal budget was not something they would choose for themselves. Parents worried that personal budgets may be used as a cost-cutting measure, which could be forced on families against their will. They stressed that personal budgets must never become compulsory.

**Services:** Whilst parents liked direct payments for short breaks and childcare, most felt that extending personal budgets to include core services would be a step too far. In order for personal budgets to be effective, the right services must be available to purchase; however, some services may fold if not enough families with personal budgets choose them.

**Support:** Parents were concerned about the skills needed to administer a personal budget, and the additional work and stress this would place on families. The amount of advice, information and support parents would need should not be underestimated. The role of key workers would be crucial.

Parents felt uneasy about potentially having to make difficult choices, e.g. whether to use their child's budget for therapy or for a short breaks service.

**Accountability:** Without extensive monitoring, some families may spend their budgets on unsuitable provision, leaving some children very vulnerable. Quality of provision must be monitored closely.

## What should be the key components of a locally published offer of available support for parents?

Question 10

Parents strongly supported the proposal to publish more and better information about local services. Parents in Sheffield have been asking for clear, accessible information about short breaks, direct payments, criteria for statementing, etc. for a long time, without much success. There was a feeling that the Green Paper could bring parents closer to achieving this aim.

*“More information will lead to a fairer, more equal system.”*

**Information:** Every local authority should have a one-stop shop for information about disabled children's services, which should be widely publicized and signposted by all professionals. The information provided should cover eligibility criteria, access routes, timelines and processes. With regard to schools, it is vital that the local offer clarifies what provision pupils with SEN but without statements/EHC plans are entitled to. It should clearly spell out what the law requires schools to do, e.g. the obligation for teachers to differentiate the curriculum for pupils with SEN.

**Role of professionals:** Professionals such as SENCOs, social workers, Educational Psychologists, GPs etc. have a key role to play in getting information to parents. Professionals need to know what provision is out there, and proactively give this information to parents. Information provision should be regarded as a key part of their role.

**Enforceability:** There should be a “core offer” (a set of minimum standards), which should be the same across the country. Parents should be able to compare local authorities' performance against this core offer.

The local offer should be developed in cooperation with parents, and should incorporate the core offer. The local offer should constitute a legal entitlement, and compliance should be monitored by an independent body (not attached to the local authority or the NHS). As schools become more autonomous, it will be increasingly important to set out clear expectations, and to enable parents to challenge non-compliance.

## Chapter 3: Learning and achieving

### What are the pros and cons of replacing School Action and School Action Plus with a new single school-based SEN Category?

Questions  
22, 23, 24

Parents found it difficult to comment on this proposal without knowing what the eligibility criteria for the new SEN category would be. They were concerned that the term “school-based” seemed to imply that schools would not need to involve outside agencies.

Whilst some parents reported that schools sometimes use labelling as a substitute for action, they were sceptical about the claim that children are being over-identified.

Parents felt that the current system generally worked well:

*“If schools really are “playing the system”, the system just needs to be policed better.”*

Having just one SEN category would mean losing the flexibility of a graded approach. A solid support system is needed for children with transient support needs, e.g. following a bereavement. Parents were doubtful whether school staff had the skills and the time to identify and deal with problems of this type.

### What information would help parents assess how effectively schools support children with disabilities and SEN? What information should schools be required to provide to parents on SEN?

Questions  
11, 15, 31,  
32

Whilst parents would welcome league-table style information about SEN provision when choosing a school for their child, their main concern was about communication with the school their child was already attending.

**Home-school communication:** Parents felt that schools should be required to proactively give them information about:

- their child’s support timetable
- strategies used at school (so parents can support learning at home)
- how SEN support is integrated into the whole school day
- how information about the child’s needs has been communicated to school staff who come into contact with the child (often problematic in secondary schools)
- progress against statement and IEP objectives

Apart from written information, both formal and informal face-to-face contact is needed. This should include half-termly review meetings, and opportunities to talk to the teacher / teaching assistant at the end of the school day.

**Information required to choose a school:** Parents felt that the proposal to provide data on the lowest attaining 20% of pupils did not go far enough. They acknowledged that it is easier to measure academic attainment than “soft” skills such as independence, communication, social skills or confidence, but felt that the development of descriptors for wider outcomes was not an impossible task. Learning from the Achievement for All pilots could provide a starting point.

In addition, the following information should be provided:

- SEN experience and training of teachers
- How the school communicates with parents, e.g. structured conversations, home-school books, IEP reviews
- Ofsted rating for SEN provision and inclusiveness (to be developed)
- Parental satisfaction: parents should be able to log if a school is negative or unwelcoming towards disabled children, and this should affect a school’s inclusiveness rating (e.g. in a kitemark scheme)

### **Apart from more training, what other help do teachers and other school staff need in order to support pupils with SEN?**

Questions  
20, 21

Whilst parents welcomed the proposal to better equip teachers to identify and address SEN, they were concerned that the Green Paper was placing too much responsibility on teachers. More SEN training for teachers should not be seen as a substitute for input from specialist support services.

**More support for teachers:** Teachers need easy access to experts when they have concerns about a pupil. In order to deliver effective interventions, teachers and teaching assistants require regular support, advice and monitoring from specialist support services. Funding cuts and the move from commissioned to traded services pose a threat to these services, which are already under-funded and over-stretched.

Teachers must be given enough time to prepare resources and differentiate the curriculum for pupils with SEN. Expertise should be shared across the school system. Class sizes should be reduced in order to make it easier for teachers to meet individual needs.

**Social skills training:** There should be less emphasis on SATS and league tables, and more emphasis on pupils’ social development. Teachers need training on how to support pupils with social impairments. Instead of viewing lunchtimes as downtime for staff, teachers should utilize them to further pupils’ social development.

**More clout for SEN staff:** SENCOs and Learning Mentors must have the confidence and the authority to disapply disabled pupils from the curriculum

(e.g. no foreign languages for pupils who can barely speak their mother tongue) or to excuse them from specific events, such as sports days:

Parents felt that disabled children should not be forced to participate in all school activities on a point of principle.

**Training:** In addition to training on specific impairments, teachers should be trained on how to work better with parents. SENCo training should be improved. Parents felt that greater emphasis should be placed on reading, and praised the reading volunteers scheme.

## Chapter 4: Preparing for adulthood

**From your experience, what are the obstacles faced when ensuring children with SEN or disabilities participate in post-16 education and training?**

Questions  
33, 34

Funding cuts were seen as the biggest threat to participation in post-16 learning. Parents mentioned several examples of good practice, such as the Supported Employment Project at Meadowhall, Learning Mentors, and excellent support at university, but cautioned that good practice was being eroded as support posts are being cut and projects lose their funding.

**Transport:** Lack of transport is a major barrier to accessing post-16 learning.

**Tailored support:** Support at college needs to be less ad-hoc and dependent on good will, and more formalised and embedded. Young people with disabilities/SEN often have poor organisational skills and may need regular small amounts of practical support, e.g. a knock on the door in the morning. Data protection requirements must not get in the way of sharing information with key staff, e.g. security staff in residential colleges need to know that “odd behaviour” may be due a disability.

**Transition planning:** Planning for transition needs to start much earlier. Secondary schools need to know about vocational courses and share this information with parents early on. With so much of the focus on academic underachievement, it is easy to forget the needs of young people with high-functioning autism, who often do quite well academically. However, only 12% of those with high-functioning autism have paid jobs.<sup>1</sup>

**Appropriate provision:** It is unacceptable that many young people who attend specialist colleges only get two or three days of education per week, instead of a full week like their mainstream peers. Some young people require residential provision solely in order to develop their independence. Funding needs to follow the young person.

**Have you any examples of help when ensuring children with SEN or disabilities participate in post-16 education and training? (For example, the consultation mentions supported internships)**

Questions  
33, 34, 35

Parents identified the following examples:

Ruskin Mill Educational Trust – Freeman College: works well but access is limited because of fees

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<sup>1</sup> Barnard J. et al (2001). Ignored or ineligible?: the reality for adults with autism spectrum disorders. London: The National Autistic Society.

Supported Employment Project at Meadowhall: this was set up in April 2003 in order to improve the employment prospects for young people with an Autistic Spectrum Disorder (ASD)

Direct payments/personal budgets: could work well, e.g. PA supporting college placement

Visual impairment service: very effective in helping youngsters find suitable work placements

**The consultation sets out key areas when supporting disabled young people and young people with SEN to prepare for adulthood as ensuring a broad range of learning opportunities; moving into employment, independent living, and transition to adult health services. Is this the correct focus or are there other areas to consider?**

Question 39

Parents felt that a key area missing from this list was socialising and enjoyment, especially for those young people who will never be able to work. They pointed out that many disabled people not only need support to make the transition into employment, but also beyond that.

**Transition to adult health services:** Parents supported the focus on the transition to adult health services. They agreed that annual health checks could help GPs keep an eye on young disabled people who have health needs, provided they are appropriately trained to do this. Parents valued the fact that paediatric health services can exercise discretion to keep children past the age of 16, but needed more clarity about the rules that apply here.

## Chapter 5: Services working together for families

### Do you agree that guidance on IEPs should be removed from the SEN Code of Practice?

Question 44

Parents emphatically opposed this proposal. They felt that IEPs are a very effective tool, provided they are well written and well implemented.

Parents called for a strengthened legal framework to ensure that IEPs are fit for purpose.

### Do you think a banded approach to school funding would lead to more fairness and transparency?

Question 58

Parents felt that meeting children's needs was paramount, and funding arrangements should facilitate this. The provision needed to meet a child's needs should be properly specified and quantified in their statement/EHC plan, and fulfilling the requirements of the statement/EHC plan should take precedence over any "banding".

Parents favoured a ring-fenced, personalised funding system where "the money follows the child"; however, they were uncertain whether this would actually happen in a banded approach.

### How can the government ensure sufficient and equitable access to specialist support services for all children who need them?

Questions 47, 56, 57

Parents warned that many specialist support services in Sheffield were already failing to meet needs, and that the situation could get worse as schools move towards greater autonomy.

**Funding:** The Green Paper fails to acknowledge that additional funding is needed to bring the capacity of specialist support services up to an acceptable level.

Example: The capacity of Sheffield Speech and Language Therapy Service is 40% lower than the national average. The service estimates that it is only meeting 25% of identified need. 35 out of 170 schools currently buy in extra speech and language therapy.

If schools are expected to buy in services from their delegated budgets without proper monitoring, access to specialist services will become more

inequitable as different head teachers will have different priorities. This risk could be mitigated by properly quantifying access to services/therapy provision in statements/EHC plans, backed by a legal duty to provide these services. It could be further mitigated by reforming the funding system so that the money follows the child.

However, this could condemn pupils with SEN but without a statement/EHC plan to second-class provision. Schools must be given sufficient ring-fenced funding to purchase services for these pupils, and purchasers and commissioners of services need training about what to commission.

Parents favoured the current approach whereby the local authority top-slices the education budget to provide services to schools free at the point of delivery. However, additional funding is needed to ensure that these services have sufficient capacity to meet needs.

**Accountability:** In a free market, there is a risk that service providers will try to undercut each other, at the expense of quality; service quality must be tightly monitored.

Parents can only hold schools and services to account if there is sufficient funding for information, support and advocacy services to support parents in this role. Crucially, however, the system must also work for the child if the parents do nothing.

## **Appendix - Additional comments received from individual parents after the workshop**

### **Chapter 1 – Early identification and support**

- Funding cuts for SureStart children’s centres and Early Years Inclusion Team undermine the principle of early identification and early intervention.
- Some children who have a statement have only got one area of need. Can the government assure us that these children will also be entitled to an EHC plan?
- How will the government decide who is entitled to an EHC plan when statementing rates vary so widely between local authorities?
- Local authorities should be required to take account of private assessment reports commissioned by parents.

### **Chapter 2 – Giving parents control**

- Erosion of statutory services may lead to closure
- Independent schools, Free Schools and Academies must not be allowed to discriminate against pupils with SEN on cost grounds.
- If Sheffield is moving towards mainstream inclusion and the green paper wants this bias removed, how can Sheffield offer parents more choice?
- Parents should not have to apply for a mainstream as well as a special school place when they want their child to attend a special school.

### **Chapter 3 – Learning and achieving**

- How can children’s progress be monitored in schools that choose not to buy in services and go it alone?
- The system of School Action/School Action Plus works well and should be preserved. The categories allow staff to follow the correct procedures to support children and give parents clear guidelines on the path to be followed.
- Children who struggle to achieve academically because of their SEN should not be directly compared to those without SEN. Their grades should give an indication of their special needs, to avoid putting too much pressure on these children and their teachers.
- I know nothing about how my son’s statemented hours are used to support him, and what sort of interventions are being done with him at school. I would like to see a contract between schools and parents about the support and work they are doing with children.

### **Chapter 5 – Services working together for families**

- Local authorities needs to make it clearer to parents what level of outside agency help they can expect, for example in school