

Cyflwynwyd yr ymateb hwn i'r [Pwyllgor Plant, Pobl Ifanc ac Addysg](#) ar gyfer yr ymchwiliad: [A oes gan blant a phobl ifanc anabl fynediad cyfartal at addysg a gofal plant?](#)

This response was submitted to the [Children, Young People and Education Committee](#) for the inquiry: [Do disabled children and young people have equal access to education and childcare?](#)

AEC 4

Ymateb gan: Estyn
Response from: Estyn

Background information about Estyn

Estyn is the Office of His Majesty's Inspectorate for Education and Training in Wales. As a Crown body, we are independent of the Welsh Government.

Our principal aim is to raise the standards and quality education and training in Wales. This is primarily set out in the Learning and Skills Act 2000 and the Education Act 2005. In exercising its functions, we must give regard to the:

- Quality of education and training in Wales;
- Extent to which education and training meets the needs of learners;
- Educational standards achieved by those receiving education and training in Wales;
- Quality of leadership and management of those education and training providers; including whether the financial resources made available to those providing education and training are managed efficiently and used in a way which provides value for money;
- Spiritual, moral, social and cultural development of learners; and,
- Contribution made to the well-being of learners.

Our remit includes (but is not exclusive to) nurseries and non-maintained settings, primary schools, all age schools, secondary schools, independent schools, pupil referrals units, further education, adult community learning, local government education services, work-based learning, and initial teacher training.

We may give advice to the Welsh Parliament on any matter connected to education and training in Wales. To achieve excellence for learners, we have set three strategic objectives:

- Provide accountability to service users on the quality and standards of education and training in Wales;
- Inform the development of national policy by the Welsh Government;
- Build capacity for improvement of the education and training system in Wales.

This response is not confidential.

Introduction

Disabled children and young people face many barriers throughout their lives, including in accessing education and childcare. (source: 'Is Wales Fairer - The state of equality and human rights 2018' Equality and Human Rights Commission). These barriers have grown in complexity since the COVID-19 pandemic.

We have used evidence collected from inspection activity which may include meetings with pupils and learners, meetings parents, inspection questionnaires, engagement visits and thematic work and discussions with organisations linked to education and childcare to collate our response. However, many of the questions within this consultation fall outside of our remit. For example, we evaluate providers and local authorities on an individual basis and consider a wide range of pupils, not specifically children and young people with disabilities in isolation.

Pre-existing weaknesses within the additional learning needs (ALN) system, as well as a variable implementation of this reform mean that not all disabled children and young people in Wales experience equitable access to education and childcare.

In our thematic report, ([“The new additional learning needs system: Progress of schools and local authorities in supporting pupils with additional learning needs”](#), 2023) we identified the following barriers to success in this field include:

- a lack of clear information available to children, young people and their parents about provision available to them
- long wait times for specialist assessment and support, for example, when assessing if a child has a disability and also providing specialist support when this has been diagnosed
- a lack of Welsh-medium provision to meet the needs of disabled children and young people through their first language
- underdeveloped training opportunities to support all those who work within the education and childcare systems to best support those with disabilities, including those who are neurodivergent
- significant pressures on both local authorities and providers in meeting the workload and timescales brought about by ALN reforms
- a lack of clarity regarding post-16 funding arrangements for those with additional learning needs and what constitutes a 'reasonable need' for education
- challenges in transporting children and young people to access education and childcare provision which meets their needs

Consultation questions

Do disabled children and young people have equal access to education and childcare?

Disabled children and young people face many barriers throughout their lives,

including in accessing education and childcare.

We acknowledge that there is much good practice which happens on a daily basis throughout Wales. However, we would like to highlight some notable areas for improvement in this important area.

Access to all parts of childcare and education provision, including how the curriculum is taught, extra-curricular activities, and the extent to which children and young people have been excluded from aspects of education or childcare due to their disability or neurodivergence.

Through our inspection work, we have noted a number of ways in which children with disabilities are excluded from aspects of education. For example, our thematic report [Equity of curriculum experiences for pupils who are educated other than at school \(EOTAS\)](#) focuses on the curriculum experiences for pupils who are educated other than at school. Too often pupils are not accessing full-time education. As a result, these pupils do not receive access to an appropriate curriculum.

Through our work, we have also found restrictions on those children with disabilities participating in extra-curricular activities, such as clubs. For example, due to restrictions on taxi transport at the end of the school day, pupils from a specialist resource base were unable to access activities before and after the school day.

On occasions, we have found examples of pupils with disabilities being excluded from school trips. This has been due to staff confidence in managing behaviours that challenge, for example. As a result, these pupils do not benefit from the same enriching educational experiences as their peers.

The extent to which families and children feel that they have been affected by direct, indirect or discrimination arising from disability.

Only a very few families have raised these issues with us, relating to both direct and indirect discrimination. These families tell us that current guidance is not detailed enough, or that staff do not have the appropriate training, skills and knowledge to meet the needs of their child without discriminating against them.

The impact of any lack of or limited access on a child or young person's mental health and well-being and educational outcomes.

There is a clear link between pupil well-being and educational outcomes, with well-being and attitudes to learning forming a core part of our inspection framework. We are still finding a negative impact of the COVID-19 pandemic on pupils' educational outcomes and well-being, including for pupils with disabilities. Other challenges for pupils with disability include attendance, use of restrictive practices to manage behaviour and access to mental health services. Disabled children and young people often face health-related challenges that can affect their attendance. This could include chronic illnesses, mobility issues, or conditions that require regular medical appointments. They also experience discrimination,

bullying, or social isolation, which can make them reluctant to attend school or childcare facilities. The use of restrictive practices to manage behaviour can be detrimental to disabled students' education and overall well-being. Although these practices may be employed to manage challenging behaviour, they can infringe on a child's rights and dignity. When used excessively, they create a hostile or oppressive environment, making it challenging for disabled children to engage in learning or childcare activities.

Within our thematic report, [‘we don’t tell our teachers - experiences of peer-on-peer sexual harassment among secondary school pupils in Wales’](#), we found that [many pupils experience the negative impact of peer pressure around expectations of the way they should look](#). Pupils reported consequent body shaming and bullying if their bodies do not conform with a certain image of beauty or fitness. Even though schools generally record behaviour and bullying incidents, they do not make productive use of the data and information available to them to categorise and analyse incidences of peer-on-peer bullying and harassment well enough or identify trends. This hinders schools from having an accurate picture of the extent of different types of bullying and harassment. This hinders their ability to evaluate the impact on the well-being of particular groups of pupils, for example, disabled children.

The barriers for schools and childcare providers in offering accessible provision

There are many barriers in this area, largely impacted by cost. For example, the school environment often causes issues for schools and childcare providers when offering suitable provision. This may include ensuring accessibility for those with physical disabilities, technology to support hearing impaired pupils or ensuring lighting and acoustics meet the needs of neurodivergent children.

Another barrier is ensuring access to professional learning so that all staff have the appropriate skills, knowledge and understanding to meet the needs of all children well. Examples of this include ensuring that staff are proficient in British sign language (BSL) or are able to recognise and support the needs of neurodiverse children.

Access to specialist services is often a barrier for providers. There are long waiting lists for pupils to be assessed and then supported to meet their needs following assessments. Examples of this include waiting to see a speech and language therapist, occupational therapist or educational psychologist. These delays hinder schools from using up-to-date information to meet the needs of children with disabilities. It also delays pupils in accessing the support they require in a timely manner.

Further, understanding and application of ALN reform remains inconsistent and a lack of understanding in this area is a barrier to offering accessible provision.

How well disabled and neurodivergent children and their families are consulted or informed of the choices in education or childcare available to them. Also, whether parents of disabled and neurodivergent children and the

children themselves receive effective information and support from local authorities and schools.

Collaboration between schools, local authorities, and advocacy groups are beginning to create a more inclusive and informed environment, ensuring that parents of disabled and neurodivergent children receive appropriate information and support. However, we have noted inconsistencies in the information available on both school and local authority websites. This hinders children, young people and their parents from making fully informed choices about what is available to them.

Further, changes to transition and funding systems within Post 16 education for those learners with ALN also risk the consistency and quality of information provided in respect of choices in education. For example, in our [2022 thematic](#), 'impartial careers advice and guidance to young people aged 14-16 years provided by Careers Wales advisors', we noted that Welsh Government have not yet identified how Careers Wales will work with local authorities to provide transition planning support for young people with ALN.

Whether disabled and neurodivergent children and parents of disabled and neurodivergent children have the same level of choice as other children and parents and what issues affect choice or school or childcare.

Generally, disabled and neurodivergent children and their parents do not benefit from the same level of choice as their peers.

For example, where there is limited provision within a local authority area, they are often left with no choice at all about where go. These choices are also limited by transport limitations and the reasonable amount of time a child can travel to receive education or childcare daily.

This is particularly notable when considering post-16 provision and the impact of ALN reforms. Rules such as 'reasonable need' for further education risk limiting the number of children with disabilities who are able to progress to further education. In addition, current funding mechanisms mean that these learners are not able to change courses with the same ease as their peers.

The extent to which there is adequate provision for children with different types of disabilities.

There is a variety of provision available across Wales to meet the needs of children with different types of disabilities. This includes mainstream schools, pupil referral units, specialist resource bases, special schools, independent schools, further education colleges and independent specialist colleges.

In our thematic report, ("The new additional learning needs system: Progress of schools and local authorities in supporting pupils with additional learning needs", 2023_ we identify limited provision for those children with additional learning needs or who are neurodivergent whose first language is Welsh. In some instances, these pupils are required to travel to other local authorities to access education to

meet their additional learning needs through the medium of Welsh. In addition, there are limitations on the assessments, resources and staffing of specialist support and services through the medium of Welsh across Wales.

Examples of effective practice

[Celebrating diversity to support well-informed, responsible and tolerant pupils | Estyn \(gov.wales\)](#)

The school is a vibrant and embracing community, which fully realises its vision to nurture the talents of all its pupils and staff. The very high quality of care and support provided by staff successfully engenders strong shared values of tolerance, respect and inclusivity amongst all members of the 'Clytha family'. This ethos directly informs pupils' very positive attitudes towards learning and supports their development as confident, capable and independent citizens. The school has the celebration and respect of difference at its core. The school has sought to challenge stereotypes in all forms and has developed a 'diversity' theme that runs from nursery to Year 6. Each class takes one of the nine protected characteristics and develops innovative and wide ranging learning opportunities with issues, rich texts and stimuli. The school has developed highly effective links with Stonewall Cymru, Paralympians, disability organisations and Wales for Peace, to name just a few in support of pupils' personal development. The school uses visitors from the community and beyond to engage all pupils in reflecting on their values. For example, an inspirational visit from a Paralympian challenged and informed pupils' views about disability and achievement.

[Structured approach to communication helps promote an inclusive learning environment | Estyn \(gov.wales\)](#)

As a result of the college's well-co-ordinated approach to total communication, young people, who in the past may have been excluded from the vast majority of interactions around them, can live in a wholly inclusive environment where they can both understand and be understood.

[The Cardiff Commitment – Raising the aspirations, ambitions and outcomes for children and young people | Estyn \(gov.wales\)](#)

Accelerator projects led by the core team and undertaken with schools are identified by information about pupils eligible for free school meals (FSM), looked after children in education (LACE), pupils with additional learning needs (ALN), pupil progression data and the Wales Index of Multiple Deprivation. The Cardiff Commitment accelerator areas aim to get most benefit and value from partnerships and look to provide sustainable approaches for schools and employers. The Cardiff Commitment Forward Plan and Annual Reports and provide evidence and more detail on the core priorities. Experiences of Work is the Cardiff Commitment's approach to developing a career and work-related experiences (CWRE) offer that works for schools and employers. Programme benefits include a coordinated and collaborative approach to experiences of work making best use of stakeholder resources. This is a move away from ad hoc CWRE activities and a move towards meaningful delivery in context. It is a needs led approach developed in partnership and suited to schools' demographics. It

increases pupil, school and parent/carer awareness of career pathways and regional skills and develops awareness for parents/carers with regard to education and career pathways for their children. The programme challenges barriers associated with social mobility, additional learning needs, disabilities and gender and race stereotypes.

[Technology plays a significant role in helping pupils to achieve their potential | Estyn \(gov.wales\)](#)

The school opened its Assistive Technology Centre in September 2010. The Advisory Centre for Education describes Assistive Technology as 'any equipment or system that is used to increase or improve functional capabilities of individuals with disabilities'. Four members of staff achieved professional qualifications in Assistive Technology accredited by Manchester Metropolitan University.

The Assistive Technology Centre works across the domains of:
communication;

- curriculum;
- pupil voice;
- independence; and
- parental / family support.