

# Do disabled children and young people have equal access to education and children – Stakeholder event

Note of stakeholder event: 27 September 2023

## Committee attendees:

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- Laura Anne Jones MS
- Ken Skates MS (part)
- Sarah Bartlett, Deputy Clerk (note taker)
- Sian Hughes, Senior Researcher (note taker)

## 1. Extent of the issue

### Childcare

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1. There was general agreement that childcare for children with disabilities or who have additional needs was very limited. There were examples of specific settings where all staff had training to support children with additional needs, but there were very few spaces available. It was suggested that parents may feel nervous about leaving their children in the care of staff who do not have the necessary training.
2. While access to direct payments was welcomed, they could not be used as it is not possible to find adequate childcare for children with additional needs.



3. There was a lack of communication between parents and childcare settings with an example of a parent being told that their child could no longer attend, without any previous communication about any problems. Parents felt that they were made to feel that they were the problem with no suggestion that settings could adapt to support a child with additional needs. There was a call for more accountability for child care settings along with guidance on communication with parents.
4. There are variations across Wales in access for assistive hearing technology and variability in the time that staff had available for training in its use. There is also variation in access to external services such as speech and language therapy.
5. There is a need for compulsory training for nursery staff and teachers and knowledge of how to access external services.

## 2. Education

### **The school estate**

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6. There are difficulties with wheelchair access in some mainstream schools. Every school should be adapted for those with hearing or visual impairment. An inability to communicate for whatever reason excludes some learners. Schools with good acoustics benefit everyone. There are mixed views on how successful 21st century schools has been in relation to improving acoustics.

### **Assessment**

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7. There was concern about schools refusing to assess pupils based on limited evidence (for example having a good reading age) which means that the school is not able to provide the support that the learner needs. Assessment is not based on the child's individual needs. Schools do not accept a private diagnosis for a child, which are often sought by parents because of the length waiting lists.
8. There is a lack of availability of Welsh medium tests. There are dyslexia screening tools that can be used for children from the age of 6 years, but there is no consistency in their use across Wales. It was said that it is almost impossible to use British Sign Language (BSL) or sign supported Welsh in Welsh medium settings.

### **Reduced timetables**

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**9.** There seems to be a great use of reduced timetables for young children, below compulsory school age (4 and 5 year olds) as well as older learners. This seems to be becoming a trend. These should only be used where schools have the agreement of the parents and where it is in the best interest of the child. Examples were given of a school offering two hours in the school without any discussion with the family of how to meet the child's needs. There is no monitoring of the use of reduced timetables. There were examples of children being on reduced timetables for many years rather than being a short term measure. It was felt that reduced timetables reduces stresses on schools which is caused by lack of finances, resources and staff and can be seen as an 'easy option' for schools. There is a shortage of specialist staff for deaf children.

**10.** Schools may threaten to exclude children due to behavioural issues, without considering that the school has an inability to adequately support the child. It was suggested that exclusion may be a better option for families as there is a right of appeal, but often families are very fearful of exclusion.

**11.** Some learners, such as those with long Covid may need a reduced timetable, but with work sent home for them.

**12.** The system needs to be suitable for and in the best interests of the individual and with parental agreement.

## **7. Workforce**

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**13.** School staff may not always understand a child's particular condition. Newer conditions such as long covid are not well understood by schools or medical staff and children may struggle to access education. Some learners need greater flexibility and a blended learning approach.

**14.** In rural communities one teacher may be supporting more than one early years class so they may be unable to support a child with additional needs.

**15.** There is a lack of specialist training to make simple adjustments in relation to acoustics in a room which would help all learners, not just those with a hearing impairment. There is also a lack at access to higher levels of BSL and BSL support for children and their families.

**16.** A lack of support staff in schools can be isolating for a child who can be bullied and lonely. Additional support is needed for some learners at breaks in the play-ground.

- 17.** Supply teachers not provided with information on individual children's needs in classes. This can lead to issues with the child's behaviour and consequently punishment.
- 18.** Many teachers of the deaf are close to retirement and there are few 'in the pipeline'.
- 19.** There are many free resources available to support teachers to help learners with hearing or visual impairments that can be transformational. Taking a slightly different approach to teaching would not add to a teacher's workload it would ease the burden.
- 20.** Consideration should be given to providing training for teachers in Initial Teacher Education to help them understand disabilities, especially as some disabilities are hidden. There is a need to be proactive rather than reactive.
- 21.** There should be more disabled teacher role models.

### **Information and communication**

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- 22.** There is very little information available for families. There are some independent resources available, but only a small amount from medical sources.
- 23.** Some felt that there is a view that schools know what is best for learners and there is a lack of communication with parents about how to support individual learners. This is especially true when a child is starting school. Everybody else's expertise is valued more than a parent's expertise.
- 24.** Information for parents on their rights to identification of needs is not proactively given to parents. Early identification is key to accessing support and parents need to understand how to get their child's needs identified.
- 25.** Some thought that information on choices is available, but parents of disabled children may also be navigating other systems such as benefits, health and housing. Parents feel that getting support is their responsibility. Sometimes a parent has to pick which thing to fight for.
- 26.** Families need to be supported but also empowered to take on issues themselves.

### **Discrimination**

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- 27.** Parents often do not realise that they are the subject of discrimination – a figure of 90 per cent was quoted for those who had been discriminated against. Families may just assume that 'this is the way it is'. Discrimination was described as very widespread across the board. Families may be discriminated against in every area of their lives and it 'becomes the norm'.
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- 28.** Parents may be being 'manipulated' into feeling that they are a problem for asking for their child's needs to be met. While there are routes available to address discrimination, it can be difficult to prove.
- 29.** It was suggested that reduced timetables are a form of discrimination in that other pupils are receiving their full rights to an education. Similarly, for those who need it, refusal of a reduced timetable can be discriminatory.
- 30.** Exclusions can also be seen as discriminatory where a learner is excluded because a school cannot meet a learner's needs due to Additional Learning Needs (ALN) or the learner having other additional needs.
- 31.** Schools may be discriminating against learners but may not believe they are and it may not be intentional, but they are not able to cope with learners' behaviours. Often discrimination stops when appropriate support is provided to the school.
- 32.** There are very few cases of discrimination due to disability being made to the Education Tribunal.

### **Impact of the Additional Learning Needs and Education Tribunal Act**

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- 33.** Neither parents or schools are receiving the correct information about the new law. Learners should have access to an Individual Development Plan (IDP) under the new system, but parents are 'battling' to obtain one and for their child's needs to be met.
- 34.** Waiting lists for assessment and diagnosis are long. Although a parent can ask for identification of ALN, this can take 12 weeks and during that time a child's needs are not being met.
- 35.** The new system is being implemented differently in each local authority, despite the fact that the definition of additional learning needs has not changed from the previous special education needs legislation.
- 36.** Children with significant learning needs are being told that they do not qualify for an IDP and so receive 'universal provision'. Parents may accept this and lose any right of appeal or any recourse to tribunal or resolution service. Not all parents are able to challenge the school or local authority and there is a concern that it is only the loudest voices that get heard.
- 37.** Some schools may be concerned that families are asking for support due to the cost implications for the schools. There is a fear that the need for ALN support is being interpreted according to what schools can offer.
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**38.** The suggestion that the new ALN system would be easier than the SEN system for parents to navigate is not true.

**39.** There is a need to review the ALN Code.

### 3. Impact

**40.** Deaf children who are BSL users may be completely isolated as no-one else in the school is able to use BSL. The child may have a support worker, but there are no contingencies if that person is absent.

**41.** The impact for children with ALN attending mainstream school can be very bad for their mental health.

**42.** There is a lack of understanding about the impact of Covid and long term health. Long covid learners in mainstream school are becoming more and more isolated and being unable to take part in school activities has a negative impact on mental health.

**43.** Learners with additional needs may be unable to access after school activities, especially those who are unable to attend school for a full day.

### 4. Choices

**44.** Access to chosen provision is not available. In one area, there is one accessible special school which is full. Therefore, parents must use mainstream schools, where pupils are struggling and they feel that there is no hope of getting specialist support. Parents often think they are 'lucky' to access specialist settings. There is an increase in the requirements for specialist settings but no increase in capacity.

**45.** There is no school for the deaf in Wales so there is no peer to peer support. There were concerns about a decline in specialist support units and that they are becoming more generalist which denies choice for deaf pupils.

**46.** It is possible that aspirations for learners are lower in special schools than in mainstream schools. However, some families have different priorities, and attending a special school has many benefits including to learners' mental health and well-being.

- 47.** Many families want their child to be educated in mainstream. All schools should be able to meet the needs of all pupils locally, but this needs to be resourced. This is incredibly expensive in terms of having the appropriate staff and buildings.
- 48.** It is the ideal for young people to go to the local school and be part of the community but this is not possible for all learners. Mainstream schools may focus on results, but parents want their children to thrive. The pressure on schools to have good academic performance filters through to learners.
- 49.** Deaf children are mostly educated in mainstream school where there may be no support for them.
- 50.** There is no provision for those children who 'fall in the middle' between needing a special school or a mainstream school.
- 51.** There is a need for more suitable career opportunities.

## 5. Barriers

### Transport

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- 52.** Buses are often not equipped to deal with wheelchairs and wheelchair users. Transport can be an issue for some who may need to be picked up from school during the school day. This has been a problem especially in Welsh medium schools where it has been suggested that learners attend an English medium school instead. Deaf children may have a limited capacity to travel a long way.
- 53.** Where a child attends an out of catchment school, the local authority may refuse to provide free home to school transport, even if that school is in the best interest of the child. This should not be considered to be an issue of parental preference. The school would need to named on an IDP for transport costs to be met.

There are issues of safety in some contracted school transport with no adapted transport, such as taxis. There was some understanding of the cost to local authorities of providing specialist home to school transport. Specialist transport can be difficult to source. It is also difficult to find escorts for learners to travel to school.