

Huw Lewis AC / AM
Y Gweinidog Addysg a Sgiliau
Minister for Education and Skills



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref P-04-628
Ein cyf/Our ref HL/00474/15

William Powell AM
Chair - petitions committee

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6 March 2015

Dear William

Thank you for your letter of 26 February regarding the petition from Deffo! entitled *Access to BSL for All*, which calls on the National Assembly for Wales to urge the Welsh Government to improve access to Education and services in British Sign Language (BSL) to improve the quality of life for deaf people of all ages.

I have addressed each of the points in the petition as follows.

Improve access for families to learn BSL: When a child is diagnosed as being Deaf/hard of hearing parents should be offered free/subsidised BSL lessons (BSL level one costs approximately £300 per person). By using speech alone, Deaf children struggle/fail to develop communication skills missing important milestones. Learning other languages through BSL (English/Welsh) will improve the child's understanding and comprehension.

Welsh Government have introduced the Families First Programme which is available to all children, including those with disabilities. It is there to support Children, Young People & Families to improve their outcomes in life. This will include provision of support to assist parents who have a child who has been diagnosed as being deaf/hard of hearing. Families First is a strengths-based approach in which families are supported to recognise what is working well in their situations to support empowerment and ownership of their growth and development. Families are referred into the programme through either a key agency, for example, school, a GP, Social Services, or through self referral.

BSL language provision is provided at a local level. Many local authorities (LAs) provide training and make courses available via adult learning centres. In Further and Higher education, BSL can now be learnt through a range of learning providers including colleges and universities. There are 16 qualifications that aim to develop skills in using BSL approved for use in Wales including two level 6 qualifications for learners age 19 plus .

As BSL provision is made available at a local level, any request for free/subsidised BSL lessons will be for LAs to consider.

Introduce BSL to the National Curriculum: Deaf children and young people who are taught BSL at an early age will have better access to their education and an improved wellbeing. BSL should be available in schools and taught by qualified deaf teachers, for all to learn as this would achieve better access for all in society. We believe that BSL should be offered as a language for all learners as a qualification. GCSE Welsh (and other modern languages) are not always offered to Deaf students: this also needs to be improved.

In schools in Wales, Modern Foreign Languages (MFL) is a statutory subject at key stage 3. Schools may choose which languages they teach taking into account demand, interest, progression routes and resources. There is however no requirement to teach BSL in schools.

Nevertheless, under the Education Act 1996, LAs have a duty to provide suitable education for all children, including those who have special educational needs (SEN). Therefore a school/LA should provide for BSL where a child's needs have been identified as requiring such provision to enable them to access the curriculum. This of course applies to both English and Welsh medium schools. As regards to Welsh it is a statutory subject at all key stages.

Improving access to education in BSL for deaf children and young people: currently they have limited access to Education in BSL, and often experience under qualified support. There is a massive gap in the education of Deaf children, as many are wrongly treated as having a learning disability. This has a negative impact on their development in life, reducing independence with poor education, resulting in under-employment. They need adequately qualified Communication Support Workers available in school.

Under current legislation, learners who are deaf are identified as having a learning difficulty and thus SEN. The definition of SEN under the Education Act 1996 states:

Children have special educational needs if they have a learning difficulty which calls for special educational provision to be made for them.

Children have a learning difficulty if they:

- (a) have a significantly greater difficulty in learning than the majority of children of the same age; or*
- (b) have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for children of the same age in schools within the area of the local education authority*
- (c) are under compulsory school age and fall within the definition at (a) or (b) above or would so do if special educational provision was not made for them.*

Special educational provision means:

- (a) for children of two or over, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of their age in schools maintained by the LEA, other than special schools, in the area*
- (b) for children under two, educational provision of any kind.*

Ensuring SEN provision is made available to deaf children and young people is the responsibility of the LA. LAs have a statutory duty to identify, assess and make provision for children with SEN. This includes the responsibility to ensure that appropriately qualified staff are available in schools where a learner have been identified as requiring BSL provision.

The Welsh Government is reforming the current legislative framework for supporting learners with SEN by introducing a unified legislative framework to support children and young people aged 0 to 25 with additional learning needs (ALN). ALN includes learners currently defined as having SEN.

The focus of our reforms is to improve the planning and delivery of additional learning provision necessary to meet the child's or young person's ALN. The reforms focus on the child's or young person's needs, providing them with a single statutory plan. This plan will replace the assortment of statutory and non statutory plans that currently exist which are typically based on the perceived complexity of needs.

Making services and resources accessible in BSL for Deaf young people: enabling BSL users to access information in their preferred language via digital resources to service in Education, Health Care, Social Services and public transport, giving them equality to access as an equivalent to Welsh Language access.

The National Assembly for Wales does not have the power to legislate about any language other than Welsh. However, the Equality Act 2010 and the specific duties imposed on public authorities by the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011 have strengthened the requirement on public authorities to have due regard to the need to eliminate discrimination and advance equality of opportunity for disabled people, as for people with the other protected characteristics. Public authorities must consciously consider these aims in the development of policies and in the design and delivery of services, and must set themselves equality objectives. A more practical way of widening the provision of BSL services may therefore be through equality objectives set by public authorities.

Welsh Government is committed to creating an inclusive education system for all learners and schools play a crucial role in today's society to ensure that this generation and the next adopts an inclusive mindset. Our schools should accommodate for all children, regardless of their needs. This includes those who require access to education by other means, such as British Sign Language (BSL). All Welsh Government policy on education gives consideration to inclusivity and children's rights and we disseminate our policies to all schools accordingly.

In respect of deaf people of all ages, the Welsh Government has published Quality Standards for Paediatric Audiology and also Quality Standards for Adult Rehabilitation Services which audiology services in Wales must ensure delivery of the standards within their service.

The Welsh Government is also working to scope where progress can be made for the delivery of improved audiology services for paediatrics and adults across Wales and will be holding a workshop event for health professionals in March, with a follow up workshop to be held in June to include wider stakeholders, LA and third sector representatives.

I hope that you find this information useful in consideration of this petition.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Huw Lewis', written in a light grey or blue ink.

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