

Support and Aspiration: A New Approach to Special Educational Needs and Disability

Consultation Response Form from
Disability Alliance

The closing date for this consultation is: 30 June
2011

Your comments must reach us by that date.

Department for
Education

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Please mark ONE box which best describes you as a respondent.

| | | |
|---|--|---|
| <input type="checkbox"/> Parent/Carer | <input type="checkbox"/> Child/Young Person | <input type="checkbox"/> School/College |
| <input type="checkbox"/> Headteacher/Teacher | <input type="checkbox"/> SENCO | <input type="checkbox"/> Governor |
| <input type="checkbox"/> Local Authority | <input checked="" type="checkbox"/> National Voluntary Organisation | <input type="checkbox"/> Local Voluntary Organisation |
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Disability Alliance is a UK charity and aims to break the link between poverty and disability. We have over 270 members across the UK. For further information visit: www.disabilityalliance.org

In June 2011 Disability Alliance agreed to take on some of the former responsibilities of Skill: the National Bureau for Students with Disabilities (which sadly closed in April 2011).

Disability Alliance is now working with disabled young people and their families from transition from school to further education, training, Apprenticeships, Higher Education, volunteering and into employment through adult life.

We have therefore responded to the consultation questions with a focus on issues concerning post-16 transition from school to continuing education, independent living and employment.

Disability Alliance works in partnership with disabled people through our members and subscribers and aims to provide a range of services for disabled people and with professionals and organisations representing disabled people in colleges, universities and local authorities.

Our Youth Working Party, made up of disabled young people, has informed the content of this paper as well as focus groups and surveys of disabled young people currently in post 16 and Higher Education.

Terminology used by the Disability Alliance in this consultation response

In this consultation response the Disability Alliance uses the Equality Act definition of “disability” which includes learning difficulties, physical and sensory impairments, Aspergers syndrome, fluctuating conditions such as ME or multiple sclerosis, mental health conditions and cancer, diabetes and HIV/AIDS.

Chapter 1: Early Identification and Assessment

1 How can we strengthen the identification of SEN and impairments in the early years, and support for children with them?

Comments:

Disability Alliance (DA) works with students from age 16 progressing from school to FE and HE, apprenticeships, training, supported and open employment. So DA is not specialist in assessment in the early years of schooling.

Assessment must be up to date and accurate

However, even young people who received early assessment often report that by the transfer to secondary school their statement is out of date, and that by 16 it is even less relevant to their educational, care or health needs as they move on from school.

At a parents' focus group in the NW Hub area parents emphasised that an out of date or inaccurate assessment would lead to inappropriate progression and support.

I can't tell you how important it is to ensure that information about my daughter's support needs and requirements are accurate in order for my child to receive adequate and appropriate support at the next stage.

Recommendations:

1 A single assessment must be regularly reviewed throughout early years, primary and secondary education to take into account the student's changing needs and educational environment.

2 If the single plan is to truly be from 0-25, then it should continue to be reviewed and maintained until the age of 25 through FE, apprenticeship or whatever education and training the young person participates in.

Assessment must be 0-25

In addition this question should also address the needs of young people whose disability is not identified until later, perhaps in secondary school, or whose disability occurs later eg brain injury from road accidents or onset of mental health conditions.

The Green Paper seeks to ensure that there is a single plan for all young people with special educational needs or disabilities. That must be the case for older children and young people from 16 to 25.

Recommendations:

1 There must be systems in place to ensure that later diagnosis or onset of disability is recognised at any age

2 Appropriate support must be provided right through to 25 to ensure that the young person can progress through education and achieve their potential.

Terminology

Currently the school, post-school and HE sectors all use different terminology to describe young people with learning difficulties and/or disabilities, which may also be different from that used in social care or medical services.

There is a need to adopt a common terminology across all education sectors to ensure common understanding by professionals and families alike. This would improve communications and the transition process.

One of the reasons that young people currently experience fragmented and different assessments is because the school sector uses completely different terminology from that used in FE, HE or employment.

Local Authorities and schools use SEN and “categories” of impairments based on medical and educational psychologist diagnosis and listed in the Code of Practice.

These can be unhelpful in identifying the individual’s personal support needs and focus on a definition of a difficulty rather than the individual’s needs. The definitions are decided for the young person.

In contrast the post-16 sector and Higher Education institutions rely on the student’s disclosure of their disability and focus on the support needs of the student given their course and circumstances eg work placement, access to the library resources or living accommodation.

Most FE and HE institutions respond in a person-centred way, involving the student in assessing their needs.

A student told us:

“ I was expecting less help, but they really listened to what I said I needed and didn’t just stick a support worker with me all the time.”

The post-16 term Learners with Learning Difficulties and /or disabilities (LLDD) emerged from the Education Act 1996 where learning difficulty is defined as:

_A person has a learning difficulty if— (a) he has a significantly greater difficulty

in learning than the majority of persons of his age, or (b) he has a disability which either prevents or hinders him from making use of facilities of a kind generally provided by institutions providing post-16 education or training.

The DfE Guidance to local authorities states:

Learning difficulties is the term used in legislation while ‘learners with learning difficulties and/or disabilities’ is a deliberately wide definition in common usage in the FE system, and includes people with mental health difficulties, autistic spectrum conditions, dyslexia, attention deficit hyperactivity disorder, physical, sensory and cognitive impairments and other identified and non-identified difficulties in learning which may (may not) have led to special educational needs interventions at school under the SEN Code of Practice .

The Equality Act (2010) uses the following definition of disability:

*A person has a disability if:
they have a physical or mental impairment*

the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

The Act requires all education providers, training companies and employers to provide appropriate reasonable adjustments to ensure that a disabled person is not treated less favourably than a non-disabled person.

Disability Alliance believes there should have been a stronger emphasis on the equality duties in the Green Paper, particularly as the Act introduces significant changes for schools compared with the Disability Discrimination Act.

Recommendations:

1 If the concept of the single assessment is to be implemented then there must be a move to common terminology that is person-centred and that can be easily understood by the young person, their parents and all the professionals working with them and that is useful in identifying the individual’s support needs.

The terms disability and disabled person used in the Equality Act meet those criteria.

2 The Green Paper focuses almost exclusively on the SEN duties and there is little reference to the disability discrimination duties in the Equality Act. These duties form an important part of the responsibilities of all agencies to disabled children and young people.

“Labels” and identification of needs

Whatever terminology is used each individual’s situation is unique to them. The

ways their disability affects their lives, their education and employment options, housing, care and transport and health are all unique to that individual.

It is not possible to assume what a person's support needs might be because of the "label" their assessment gives them.

For example one visually impaired student's needs will be different from another's, in the same way as one person's glasses prescription will be different from someone else's. The emphasis should be on personalised support to enable disabled students to participate as fully as other students.

Recommendation:

Training must be put in place and strengthened to ensure that all teachers and non-teaching staff, medical practitioners and social care professionals all understand how to put in place appropriate support for the individual disabled child or young person, to meet their specific personal needs.

Terminology used by the Disability Alliance in this consultation response

In this consultation response the Disability Alliance uses the Equality Act definition of "disability" which includes learning difficulties, physical and sensory impairments, Aspergers syndrome, fluctuating conditions such as ME or multiple sclerosis, mental health conditions and cancer, diabetes and HIV/AIDS

2 Do you agree with our proposal to replace the statement of SEN and learning difficulty assessment for children and young people with a single statutory assessment process and an 'Education, Health and Care Plan', bringing together all services across education, health and social care?

Yes

No

Not Sure

Comments:

Single Plan

Disability Alliance welcomes the concept of a single assessment and planning process to cover education, health and social care.

We prefer the term Single Plan, rather than an assessment because this is much more student centred and makes clear that the purpose of the process is forward planning.

In contrast the term assessment implies that something is done to the young person, not with and for them.

An assessment has the connotation of judgements being made about an individual by others.

An assessment once completed does not have an obvious purpose, does not automatically lead to something beneficial for the young person or their family.

What the Single Plan should incorporate

The proposed Single plan must include processes currently encompassed by the statement process, the transition review at years 9, 10 and 11 and at school leaving age and the learning difficulty assessment (also called the s139A assessment).

It will need to be a statutory duty for all the relevant agencies to contribute, because in existing structures not all agencies attend or contribute when they should.

From the young person's and parent's points of view they need to know what to expect, how to complain if agencies do not fulfil their duties and how each agency will be held to account.

The Single Plan needs to include or build on other existing assessment processes already used by social care and health care professionals eg CAF

Implementation

Although Disability Alliance agrees in principle with the concept of a single plan, the evidence of current practices suggests successful implementation of a single plan will be a complex change. A great deal of planning will be needed to break down each element of the proposals, consider the fundamental changes required, and who will be made responsible and accountable for seeing each stage through.

This will take time and the professionals in all sectors must drive the changes.

There will be considerable staff development needs and costs.
In addition any changes to procedures will incur additional setting up costs.

These complex issues come at a time of austerity and reduced funding, internal restructuring and loss of expertise in education, care and health. So successful implementation will be a challenge and cannot be rushed through without detriment to a generation of disabled young people.

Professionals consulted in the NW Hub area said:

It could be similar to a CAF – when they work they work well

This seems like a huge task

In theory it's a great idea and crucial to transition process, it is difficult to picture how to deliver the single assessment practically.

Recommendation:

1 The complexity of the proposals must be recognised and the detail of implementation properly worked out, involving all the professionals concerned, to ensure that proposals are adequately tested and clear quality assurance and accountability are in place before a new system is rolled out.

2 There will be a cost to designing and implementing a new system and funding must be made available if fit is to succeed.

Disability Alliance would welcome the opportunity to work with the DfE to test proposals.

3 How could the new single assessment process and 'Education, Health and Care Plan' better support children's needs, be a better process for families and represent a more cost-effective approach for services?

Comments:

How to better support children and young people's needs

When asked about their personal experiences in transition from school to adult life, young disabled people who are members of our Youth Working Party made the following recommendations:

- Planning must start well in advance of leaving school, so that the young person's needs and choices are fully explored
- Planning must be individualised and centred around the young person's voice. Too often decisions are still being made for young people
- More timely, effective and impartial information, advice and guidance is needed so that disabled young people can make an informed choice.
- Taster sessions at colleges are important particularly, as there is a big difference between Special Schools, schools and FE.
- Agencies need to work more closely together to make the process smoother - in particular the funding agencies and local authorities (LAs).

Young people's recommendations:

- 1 The single plan should consider the young person's hopes and preferences for the future from at least Year 7. Like non-disabled people, these will change over time as their career planning skills develop, they recognise their personal strengths and the full range of options available and test them out on work experience.
- 2 Person centred planning must be the quality standard required.
- 3 Decisions must not be made for young people, but with their involvement.
- 4 Impartial and up to date careers guidance and information on the full range of options must be made available on a face to face basis from at least Year 9 and preferably from year 7
- 5 Taster sessions at local colleges and training providers are an essential part of testing out the suitability of different options and making an informed choice and must be an integral part of disabled young people's curriculum from year 7 and throughout their education and training.

- 6 Agencies involved in the transition process should work more closely together and with better communication systems. For example local colleges, the local authority and funding agencies (YPLA and Skills Funding Agency).

Involvement of children and young people

The Green paper is very disappointing in its lack of involvement of young people in the assessment and planning processes.

Children and young people should have a clear voice and ownership of their plan.

Involvement is also essential to ensure that the Plan meets the aspirations, hopes and expectations of the young person concerned.

Young people who are not disabled have choices and the right and expectation to be involved in planning their future, from education and training to employment, housing, care and health services. The same choices should be available for disabled people through school and through their education and beyond.

Young people tell us that they did not know that there was a s139A assessment done about them. They often do not have a copy of their assessment.

This must not be allowed to happen with the new single assessment.

The Green paper places excessive emphasis on parental choice and control. This is totally inappropriate for young people post-16, but is equally controversial with younger disabled people.

The balance between parents' wishes and those of their young people is always a difficult one, and especially so when a disabled young person may have greater reliance on carers. But there are excellent examples of ensuring young people can be informed and involved in planning their future, and this should be the strong starting point in the Green Paper.

Recommendations:

1 Disabled children and young people must be involved in their assessment and planning from an early age and in regular reviews right through their education and training to the age of 25.

2 Children and young people should have a copy of their single plan and be able to initiate a review if they think their circumstances and needs may have changed.

3 Young people must have a voice in what is done in their name and influence

positively how services are delivered.

4 The balance in the Green Paper must be redressed between parental control and a person-centred focus on the ownership and involvement of disabled young people.

Example of good practice:

Young people in Halton are involved in managing transition and it is considered that children's voices are always a part of the process. Young people have the opportunity to contribute to meetings and to advocacy groups, youth clubs i.e. Bright Sparks and performance groups.

The Local Authority is trying to get young people's voice heard i.e. Bright Sparks group. Bright Sparks is a consultation service set up especially for young people with disabilities, enabling them to share their views on whether they think they are being listened to in school and by the services that they use. Bright Sparks is run by Halton Speak Out in Runcorn¹ a self advocacy group which teaches disabled people to speak up for themselves.

A better process for families

Young people and their parents feel totally overwhelmed with the number of separate and repetitious assessments. This has greatly contributed to the lack of confidence parents now feel with the current system.

Parents voiced that that at present they have a number of 'inadequate plans' running parallel and that one effective plan would be preferred.

Some parents expressed surprise to hear that their child had had a s139A assessment, with a section for parents to complete, but they knew nothing about it and had not seen it.

A transition key worker said:

Some parents may have been involved – although perhaps it hadn't been explained appropriately so that they were aware that they were engaged

1

Parents were concerned:

If an assessment had been done then it had been done 'behind the scenes' and I have not been involved in its development.

Recommendations:

Parents must have better information about the services available and processes the local authority, schools and colleges undertake. They should know what to expect, who to go to and what to do if something goes wrong.

A more cost-effective approach

Duplication

The Green Paper rightly identifies duplication of effort in the current assessment processes. Education dept staff, Childrens' services social care, adult social services, health practitioners, allied health workers, transport department, Connexions PAs, local FE and specialist college staff are all involved in assessments of some sort. Each has its own recording systems, most of which are not systematically shared.

Young people and their parents feel totally overwhelmed with the number of separate and repetitious assessments. This has greatly contributed to the lack of confidence parents now feel with the current system.

Appeals

In addition the number of appeals and the proportion that are upheld indicates that the system is not working efficiently or fairly and the appeal process itself is an additional cost.

It is by no means evident that all disabled young people progress to an appropriate post-16 choice in terms of subsequent outcomes.

Tracking

There is little systematic tracking of what does happen to disabled young people on leaving their post-16 provision, whatever it is. This means that neither local authorities nor education providers have been able to evaluate in any meaningful way the cost-effectiveness of the decisions made about progression routes and budget allocations.

Examples of good practice:

A recent research project in the NW Hub found that in one local authority a new computer system has been introduced for tracking people in transition.

In Halton a Transition Tracking Panel meets termly and reports to the 14-19 Partnership.

Likewise a Transition Planning Team exists in Manchester. Manchester respondents also said that Connexions and Barnardos are involved in tracking young people's transition.

For tracking young people with complex SEN/LDD 16-25 who are at risk of disengagement Halton also has a NEET monitoring group and a Missing from education group.

These are all good examples of how some local authorities have realised that they have not traditionally evaluated the effectiveness or the cost-benefit of different progression options on leaving school. First they need the information, then an analysis will allow them to evaluate and plan strategically.

Recommendation:

1 All local authorities should introduce mechanisms for evaluating the outcomes for students of the different FE, training and specialist college and 6th form options.

This will mean establishing their destinations over a period of time – a longitudinal study.

Only then are local authorities in a position to know the cost effectiveness and benefits of the traditional progression routes taken by disabled school leavers.

2 They will have available additional information that should assist disabled young people and their parents in making decisions about their progression choices.

3 The information should also inform their future planning and commissioning of education and training places for disabled young people.

Duty on local authorities and government agencies

The Green paper is weak in this area. There needs to be a clear duty on either local authorities or on DfE/YPLA/Education Funding Agency to track the longer term outcomes for disabled students, to know what works and what does not. This will require data collection, but more importantly analysis and communication back to commissioners and decision-makers who allocate funding for post-16 disabled young people.

Sharing existing good practice

Progress made in the Eastern England pilots and other examples of good practice should be widely shared and built into the new single planning process.

Recommendations:

- 1 The single plan should be designed to reduce duplication of assessments .
- 2 The number of successful appeals must be reduced – this will require a system parents can trust.
- 3 Tracking both destinations and young peoples' satisfaction levels will be necessary in order to evaluate the single planning process and to monitor its cost-effectiveness. Legislation should ensure that LAs and government agencies have a duty to track and report outcomes to evaluate the single plan process.
- 4 Government must lead the mechanisms for sharing good practice, but also require LAs to work together to this end. This would build on existing ways of working in some areas.

4 What processes or assessments should be incorporated within the proposed single assessment process and 'Education, Health and Care Plan'?

Comments:

The single plan should incorporate relevant information from all those agencies already identified in the guidance for LAs on the Learning Difficulty Assessment

Not all disabled young people need social care or health support. However, all disabled young people go through the education system to 16, and 17 by 2013 and 18 by 2015. Therefore there must be a consistency to education planning and assessments defined in the legislation and/or guidance.

Young disabled people

The most important contributor to the single plan is the young person. The Green paper is very disappointing in its lack of involvement of young people in the assessment and planning processes.

Please see our response to Question 3 above.

Recommendations:

1 Children and young people must be involved in their assessment and planning from an early age and in regular reviews right through their education and training to the age of 25.

2 Children and young people should have a copy of their single plan and be able to initiate a review if they think their circumstances and needs may have changed

Careers guidance

For disabled learners personalised, impartial and quality careers education, information, advice and guidance (CEIAG) forms the basis of a smooth or difficult transition from school to post-16/19 education, University, training, independent living and employment.

Between the ages of 14 to 25 all young people have to make important decisions about their education. For disabled young people it can be a confusing and complicated time, as they often receive advice and support from a number of other agencies, including health and social care services that also impact on their education and career choices.

Quality careers guidance is especially important as only half working age disabled people are in work. The Government's broader policies will see greater numbers of disabled people facing significant sanctions and time limits to out of work support and ensuring appropriate, supportive careers advice is provided at the earliest opportunity is crucial. This includes on access to university and DA is pleased to note higher numbers of disabled graduates entering work than ever before.

Recommendation:

Quality CEIAG must be in place for all disabled young people and their families from at least Year 9 to be able to make informed decisions about their future progression options, not just 16-19, but 19+ and through their adult lives.

Full range of options

Effective CEIAG helps young people to become aware of **all** the options available to them, without stereotyped limitations. Choices should be based on their personal interests and abilities, in the same way as their non-disabled peers.

For example young people should know what their local college can offer, as well as the specialist colleges, apprenticeships, supported and open employment and skills training. They need to know about the support available for disabled people in FE and HE.

One parent told how her child had been given no choice and was told that they had to go to a day centre:

'expectations are so low, they always think of the day centre first'.

The evidence from young people is that frequently they have not been aware of

all the options until too late. Their experiences are also very variable – there is not evidence at present that there is a common quality standard in place for the careers guidance of disabled people.

Recommendation:

There must be a clear set of Quality standards for careers guidance for disabled people, covering both the competences of the practitioners and the content of the support.

This should be a requirement in the Education Bill currently going through Parliament.

Raising aspirations

Quality and impartial careers guidance raises the aspirations of young people, their parents, teachers and other professionals who work with them.

For example if young people and their families know about the funding support available in FE (Additional learning Support), HE (Disabled Students Allowances) and employment (Access to Work) all to ensure reasonable adjustments can be put in place, then they understand that their disabilities need not prevent them from progressing in education.

Teachers understandably cannot be experts in employment in all sectors and work places, and often advise what they know about. This influences parents' and young people's assumptions about what is possible from a very early age. So an early appreciation of the breadth of progression options available and of support mechanisms will go a long way to improving positive progression.

In the NW Hub research project a parent said:

The focus has always been short term e.g. where do you want to be now or immediately next – there is generally very little focus on the long term aims such as employment

When asked what they knew about supported employment the parents responded by saying that their children (aged between 15 and 22) were not at the stage to be considering supported employment opportunities

This example shows how important it is to set expectations at an early age to overcome assumptions that reinforce disadvantage for disabled young people.

Some of the parents voiced concerns that the expectations of disabled young people are far too low and that they are given too few choices in regards to their opportunities.

Parents discussed how those that work with disabled young people should have

the highest aspirations

Recommendations:

1 Quality careers guidance ensures that parents, school staff as well as the young people themselves understand the full range of progression choices.

2 The duties of schools and Local authorities in the Education Bill should be clarified for disabled young people to ensure they are entitled to unlimited face to face guidance throughout their secondary and tertiary education.

Training and quality standards for Connexions Personal Advisers

Many young people we spoke to felt their Connexions Personal Adviser (PA) was the most helpful person during the transition from school to the next step.

They spoke of regular contact, and welcomed knowing that there was one person they could rely on to liaise with the other agencies involved, especially if things went wrong.

Others had not had the same informed support from their Connexions PA.

Clearly standards of knowledge and expertise do vary widely across the country – there is much evidence published on this and follow-up action has taken place through the Careers Profession Taskforce and the Careers Profession Alliance.

Recommendations:

1 Specialist careers service Personal Advisers should work with young people identified as having a learning difficulty and /or disability, with recognised specialist training.

2 The PA is currently considered the professional responsible for liaison with all those involved in the young person's transition to ensure the move from school goes as smoothly as possible. **With the changes to the National Careers Service in the Education Bill there must be clarity about school duties to ensure all disabled young people receive regular face to face guidance from a PA with the necessary specialist training and expertise.**

Key worker

Young people and their families need a named key worker whose job it is to co-ordinate staff from each agency involved in supporting the young person, including health services, social care, benefits, education and training.

The 2010 Ofsted review found that 'where educational support for children and young people was most effective, the local authority had taken a strategic and coordinating role to ensure that a wide range of needs could be met effectively,

right through to post-16 education’.

A transition team professional said:

It will need a key worker from an external organisation who has specialised skills. This will be a major investment in a new career structure and may need a highly skilled person who has worked in different settings i.e. an ex social workers with links into policy, works with the family and produces documentation. This seems like a huge task’

‘Need one agency with an overview – otherwise it could become like the ‘Perfect storm’

Recommendations

1 Disability Alliance believes that agencies have a responsibility to work together to ensure positive outcomes for disabled learners and a key worker would provide a single named person for the student and the professionals to work through.

2 The key worker role is not universal at present, so this requires substantial capacity building to ensure a workforce with the relevant skills and knowledge exists and is funded in all local authority areas.

3 There should be a duty on local authorities in any legislation that introduces the single plan to ensure that all disabled learners have a key worker with defined responsibilities.

Allied health professionals

Frequently disabled young people receive support from allied health workers during primary and secondary education. Sometimes this support remains beneficial beyond the age of 16 or 18. In the case of a deterioration of a condition, or later onset of a disability, a young person may need to start receiving specialist allied health services post-16 to 25.

At present this continuity or new referral of allied health care rarely exists outside of specialist colleges. This is usually because adult health care takes over from children’s health services at age 18, whether the young person is still in education or not.

Recommendation:

1 Disability Alliance welcomes the recognition that the single plan should go up

to the age of 25. In this context we strongly recommend that allied health professionals should continue to contribute to the single plan to age 25.

2 Accordingly we recommend that health budgets should be aligned with the single plan to ensure funding is available for the required allied health provision to age 25.

Children's services (care)

Although Children's Services include both education and social care, the two services are often historically very separate in local authority structures.

Where the social care aspect of Children's Services is involved in the support of a disabled young person it is essential that the relevant social worker contributes to the single plan. The social worker will do their own care plan, and the benefit of the single plan is to ensure that these separate plans come together.

Recommendation:

Where a Children's Services care worker is involved that professional should contribute to the single plan and be aware of the contributions of all the other agencies, the parent and the young person.

Funding and commissioning

This becomes important too with regard to funding and commissioning. For example a young person with a personal budget for social care may want to pool that funding towards a package of education or training.

The care plan funding allocation could be used to fund the care element of a residential education placement.

Recommendation:

The single plan should become a mechanism to draw together separate funding streams to pool funds for a disabled young person's education and care package. Eg the Social care budget from a care plan may contribute to residential education costs.

Adult social services

Parents and young people tell us that the transfer of their care to adult social services from Children's services is not always smooth.

Some local authorities have proactively worked to improve communications and follow through in the work of their Transition teams (see below).

There is also evidence that the pilots managed by the YPLA during 2010/2011 on the Learning for Living and Work Framework have successfully bridged some gaps between adult and children's social services, which is to be welcomed.

However, Disability Alliance would like to ensure that this becomes the norm and that the single plan is a mechanism for achieving vastly improved joined up services.

Recommendation:

1 Where the young person will need social care at 18+ an adult social care worker should be involved in the single plan review well before the young person reaches the age of 18. This would allow adult social services staff to plan ahead to be able to meet the young person's needs and to see their contribution as part of the whole package.

2 The single plan should become the mechanism for communication between children's and adult social care services, building on the progress made by Transitions teams in some areas

3 It would also allow for planned pooled budgets – see Children's services (above).

Transition teams

Some local authorities are now placing more emphasis on smooth transition for disabled young people through their Transition teams.

Professionals in the NW Hub told us that the transition team structure allows for greater transparency in communications between children's and adult social services as well as with education, transport and careers guidance.

They also reported that all these services were adopting person centred planning, putting the young person at the centre of their plan.

Recommendation:

In developing models for the single plan DfE should research and share good practice such as that developing in the NW Hub.

FE providers

When there are already in place link courses between schools and colleges the FE staff concerned have considerable knowledge of the young person's needs in the college context. They would like to be consulted and involved in the single planning process, and this would be cost-effective, as they are already required to assess the individuals' needs and how far the college can meet them.

It is also important that the identification of the student's support needs relates to the setting, course and assessment methods of the college in question. The college staff are best placed to know that, provided they also have information about the medical, social and career needs of the student.

Recommendation:

The local college staff should contribute to the single plan in order to ensure the identification of needs and ways of meeting them are appropriate to the education course and assessment methods.

College involvement at an early stage would also facilitate good communications between the school, children's services and the colleges. This always makes the transition process smoother for the young person and their family.

Specialist colleges (ISCs)

Many specialist colleges already work closely with schools, mainstream colleges and local authorities in their local area. They often provide day and part-time provision for local students as well as residential full time provision for students from other parts of the country.

Specialist colleges often have expertise in the training, use and maintenance of assistive technology and equipment. Local colleges and even special schools may not have this expertise.

There may be other aspects of a student's independent living skills, work placements or independent travel training they are equipped to deliver where a local FE college may not be.

Like FE colleges specialist colleges already undertake assessments for applicants, and where there are local links, may know the students and their support needs.

Specialist colleges could make a significant contribution to some learners' assessments. So where that is appropriate their input could be valuable to ensure smooth transition for the student.

There have been some pilots to design programmes for disabled students where part of their course is delivered by and at a residential specialist college and the rest at their local FE college. There is evaluation of the pilots which shows the value to students and the cost-effectiveness of shared provision.

Recommendations:

1 Where a specialist college is involved in the student's support they should be

invited to contribute to the student's single plan.

2 Where a student could benefit from part of their programme being delivered at a specialist college and the rest locally the specialist college should contribute to the single plan.

Transport

Local authorities are already required to publish their post-16 transport policy, with specific reference to support for disabled students 16-19 and up to 25.

Some examples of good practice include policies on independent travel training.

Transport to and from the student's college, apprenticeship or training centre is a critical part of the progression planning. A disabled student can make an informed choice about their preferred post-16 option, but if they cannot get there, it is hardly a realistic plan that can be implemented.

A student told us:

My transport arrives at 3.30, regardless of my college timetable. So every Monday I miss the same class.

Often school transport arrangements rely on individual taxi services. These are costly and for many students and their parents do not develop independent travel training skills or expectations.

In many local authorities the transport department is not part of Children's Services and transport considerations are not integrated into the planning process for disabled young people.

However, this is an excellent opportunity to ensure that travel planning is incorporated into the single plan.

The benefits to the young person are that they are involved in decisions about their transport and the plans are more likely to be realistic. Benefits to the local authority are that they are more likely to achieve economy of scale and pooled or shared budgets.

For example a transport dept may make arrangements for the same student through their social care plan as well as their post-16 education provision. Taken together, and with quality independent travel training in place, the student and LA may have one transport plan, not three, with shared funding.

Recommendation:

The local authority transport dept should be involved in the single plan in order to make economies of scale and ensure that the most appropriate travel

support is provided.

5 What is the potential impact of expanding the scope of the proposed single assessment process and plan beyond education, health, social care and employment?

Comments:

Person-centred planning

Parents told Skill that the current lack of personal centred transition planning results in:

a lack of understanding of the young person's needs and they end up in inappropriate provision

Recommendation:

The single plan should be a person-centred planning tool.

All agencies contributing to the plan must be trained to work in this way.

Joined up services

Young people and their parents find the current systems confusing and complex, with transition from children to adult services at different ages for different services.

They would like a system that encourages a joined up service. To work, the young person and their family and all the professionals involved need one named key worker whose role would be to co-ordinate the young person's plan.

See response to Question 4

Recommendation:

1 The single plan should bring together disparate services to improve the experience for disabled young people and their families.

2 There should be a named key worker to co-ordinate services and provide a single point of contact for family and professionals alike.

Potential for pooling funding

Currently one of the reasons the system appears complex, difficult and adversarial is that funding allocations are made differently for each element of a young person's support package and from separate funding streams.

The single plan provides an opportunity to reconsider the benefits of ensuring funding decisions take into account the overall costs and find ways of bringing together funding allocations.

Independent and personal budgets may support this process. However, not all disabled people or their parents want or can manage their budget. And for those who do make this choice, they still need sound and impartial advice and support to avoid legal difficulties and problems.

Recommendations:

1 Bring together different sources of funding in order to meet the disabled young people's needs.

2 Ensure families receive appropriate advice and guidance to be able to manage their own budgets if they choose.

Means of ensuring local service providers collaborate to find appropriate provision for all yps 16-25 on leaving school

Historically colleges, school 6th forms, training providers have regarded themselves as competitors. Recent curriculum developments led to a period of collaboration in local authority areas and in regions.

For example young people were able to attend one college for part of their timetable and another 6th form for the rest. Some disabled young people are able to attend residential specialist college for a short period – 6 or 12 weeks for instance, followed by 3 terms at their local FE college.

The single plan provides an opportunity to identify the student's preferred skills or education programme, and for the local authority to put together a personalised learning package that meets their needs. The benefits to the student are that their needs are met. The benefits to the local authority are that the package is cost-effective and draws on the various areas of expertise each provider offers.

Recommendations:

1 Local authorities should ensure that they meet their duties under the ASCL Act to ensure there is appropriate education for all young people in their area by collaboration of different providers.

2 The legislation and guidance should ensure that local authorities and the providers are required to collaborate to provide a personalised package for disabled young people.

6a) What role should the voluntary and community sector play in the statutory assessment of children and young people with SEN or who are disabled?

Comments:

Impartiality

The VCS could have the credibility of being impartial, and independent from the local authority, the school, the local and specialist colleges.

Local support

The VCS is often a local presence, with local knowledge about local provision which is what families need.

However, they may also be variable in size, capacity, professionalism, quality assurance and resources. So there will not be consistency in approach across different voluntary organisations or in different areas.

Specialist expertise

Many voluntary organisations have very specialist expertise and good referral systems to signpost elsewhere individuals they cannot help.

They are also good at putting people in touch with others who experience the same barriers to share ideas and solutions.

Volunteers and paid employees

Many voluntary organisations rely on unpaid volunteers to deliver some or all of their services. Even the best practice in volunteer management may find the motivation, reliability or expertise of some volunteers to be variable with a potential negative impact on the service user. This has no relation to the age, background or academic achievement of the volunteer.

It means that the induction, initial and ongoing training and supervision of all volunteers must meet certain quality standards for service users to benefit.

This applies equally to employees in the voluntary sector.

Roles the VCS can play in single assessment and plan

Drawing on all of the above the VCS has the potential to play an informed role in the support of disabled young people in the move from school to independent

living, supported employment and employment.

Some training providers are from the VCS and have impressive links with local employers and good job coaching outcomes, notably social enterprises.

Others provide excellent personal care packages tailored to students' needs – for example CSV; or learning support mentoring – the National Autistic Society.

Where there are significant voluntary organisations active in any of these support roles in the local area they should be invited to contribute to the young person's single plan, particularly where the student wishes this to be the case.

6b) How could this help to give parents greater confidence in the statutory assessment process?

Comments:

Parents' confidence depends on perceived knowledge, expertise, fairness, impartiality, involvement of the disabled young person and their family and clear understanding of roles and responsibilities.

The VCS can achieve all of these for some disabled young people in some areas of the country but DA supports standard, high levels of support across the country. See 6a) above for details.

7 How could the proposed single assessment process and 'Education, Health and Care Plan' improve continuity of social care support for disabled children?

Comments:

Please see response to Question 4 above - subheadings **Children's Service (care)** and **Adult Social Services**

8 How could the arrangements for provision of health advice for existing statutory SEN assessments be improved?

Comments:

Disability Alliance works mostly with students moving from school to post-16 and Higher education and employment and so is not in a position to comment on medical provision for the existing school statementing process.

Young people tell us that one of the problems they face over the period of 16-25 is the different ages that they move from children's services to adult services. Eg social care at 18, medical care often earlier and education often later to 19 or 25.

In addition young people report that their health care is usually through hospital specialists and that their community health professionals are not informed or knowledgeable about their conditions or support needs.

9 How can we make the current SEN statutory assessment process faster and less burdensome for parents?

Comments:

Disability Alliance works mostly with disabled young people moving from school to post-16 and higher education and so is not working with young people in the early stages of the statementing process.

However, because the FE colleges and Universities generally adopt a person-centred approach to assessment, students do tell us that they find this approach frequently better meets their needs.

The systems in FE and especially HE also ensure that the resource and support identified is allocated specifically for the student in question, and is not spread thinly across the needs of a wider group of students, such as it often is in schools.

Recommendations:

1 Make the single plan framework a person-centred approach for all professionals and agencies that contribute.

2 Make the funding allocation that follows the assessment transparent and ensure the student does benefit and their needs are met.

Chapter 2: Giving Parents Control

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

Comments:

Disability Alliance recognises that the single greatest source of care and support for a disabled young person is their family.

However, disabled young people tell us that they want to be listened to, and not to have things decided for them.

The Green Paper does not give young disabled people a voice and places all the emphasis on the views and wishes of parents. This entire chapter places the parents at the centre of the assessment process and not the young person.

Please see response to Question 3 and 4.

11 What information should schools be required to provide to parents on SEN?

Comments:

Full range of options post-16

Please see response to Question 4

Key worker

Please see response to Question 4

Summary of all services available in the local area for young people and their parents

Availability of face to face careers guidance from Year 9

Please see response to Question 4

Sources of funding to support reasonable adjustments in FE, HE and employment - please see response to Question 4

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

Comments:

Personal Care package

For example in an FE college where Learning support staff are not qualified to undertake personal care work and where the social services package only covers home needs.

Transport

Please see Question 4

Job coaching

Please see Questions 34 and 48.

Reasonable adjustments on work experience because not covered by AtW

Flexibility to use budgets from different sources to fund elements of a personalised plan to meet individual needs

13 In what ways do you think the option of a personal budget for services identified in the proposed 'Education, Health and Care Plan' will support parents to get a package of support for their child that meets their needs?

Comments:

Added flexibility and choice

Control by the young person or their parents

Government must accept that is not a realistic option for all disabled young people eg employer responsibilities.

Some parents told us that the complexities of managing a personal budget added stress and work when just caring for their disabled child already exhausted them. They were clear that they wanted the local authority to manage their budget on their behalf.

Others found the added flexibility to choose their priorities for spending allowed them to take a more active role in society, get around like non-disabled people and participate in education and training.

Case study:

One A level student in a mainstream school has no verbal communication, uses sign language and interactive IT systems, is a wheelchair user, and uses her personal budget to employ a team of young carers her own age, with similar interests. They take her out to clubs dancing, films and socialising, and support her at school.

14 Do you feel that the statutory guidance on inclusion and school choice, *Inclusive Schooling*, allows appropriately for parental preferences for either a mainstream or special school?

Yes

No

Not Sure

Comments:

The Disability Alliance works mostly with disabled young people moving from school to post-16 and higher education.

It is not appropriate for us to respond to this question about school choice.

Choices post-16

However, we would like to point out that there are similar choices to be made post-16 about inclusive mainstream provision, discreet courses in mainstream colleges and specialist colleges.

Disability Alliance believes that all disabled young people should have the choice, as their non-disabled peers do.

Some young people's needs may best be met by one or other type of provision as their first steps from school. But their needs may change, their longer term career choices may change and that first step will hopefully equip them to progress, probably to another type of provision.

This happens for non-disabled young people and is considered a natural progression – for example from school to FE college for a vocational course, to university or apprenticeship.

That diversity of provision and the potential for combining several different modes of learning in one programme, is more likely to meet the needs of more disabled young people. One option will not meet the needs of all.

16 Should mediation always be attempted before parents register an appeal to the First-tier Tribunal (SEN and Disability)?

x Yes

No

Not Sure

Comments:

Disability Alliance works mostly with young people moving from school to post-16 and higher education and so is not able to comment on the First-Tier Tribunal appeal system relating to schools..

However, the Green Paper aims to make the single plan available to disabled students up to the age of 25, so there will need to be an appeal process for older students post-16 too, particularly at the point of transfer from school to another type of education provider.

This should be transparent, easily understood by disabled young people and their parents and all the professionals working with them.

It should have a mediation process built into the system.

17a) Do you like the idea of mediation across education, health and social care?

Yes

No

Not Sure

17 b) How might it work best?

Comments:

The role of the key worker will be important to ensure that if a student is not in agreement with the plan or implementation of it that they are swiftly referred to a mediation service.

The mediation provider should be external to all the services involved already in the single plan.

There needs to be a clear process, quality assurance and training for those providing mediation.

Mediation should be undertaken very promptly in order not to delay the decision-making and planning process for the disabled student.

Chapter 3: Learning and Achieving

18 How can we ensure that the expertise of special schools, and mainstream

schools with excellent SEN practice, is harnessed and spread through Teaching Schools partnerships?

Comments:

Context

2.7 per cent (221,670) of pupils across all schools in England had statements of SEN.

The data shows that over 55 per cent of young people with a statement of SEN are in mainstream schools, not Special Schools.

In 2009 there were some 1,433,940 pupils with SEN **without** statements representing 17.8 per cent of pupils across all schools. This includes young people on School Action and School Action Plus with disability related support needs. In addition there will be young people at school whose learning difficulty has not yet been recognised.

In FE colleges and adult learning data collected from Individual Learner Records (ILR) shows that there is a huge number of learners self declaring a learning difficulty and/or disability.

This information shows that there is a significant need for **all** teachers and lecturers in schools and colleges to have training and ongoing professional development on disability awareness, how to support disabled students and to have appropriate skills to ensure teaching and learning is inclusive for all young people, including those with disabilities.

At a recent focus group of teachers and professionals working with disabled young people a participant said:

There is a training issue in mainstream schools for working with students with SEN. In teacher training there is a massive gap in identifying/catering for transition for pupils with SEN.

In order to meet their obligations under the Equality Act all teachers and non-teaching staff need these basic knowledge and skills to ensure that they make the necessary reasonable adjustments.

In addition there needs to be greater sharing of good practice and better training for Education Support Assistants (ESAs)
A recent national project led by NATSPEC has identified standards, peer mentoring and effective ways of sharing good practice.

The Learning Support Information Service (LSIS) and the Learning Support Network (LSN) provide this underpinning development for serving teachers in FE and the post-16 sector.

Both have a focus on facilitating the sharing of good practice.

The Teaching Schools Partnerships are not yet established and so it is too early to know whether they will successfully facilitate the sharing of good practice in schools.

19 How can we ensure that we improve SEN expertise, build capacity and share knowledge between independent specialist colleges, special schools and colleges?

Comments:

In recent years there have been extensive government funded initiatives to encourage capacity building and collaborative provision between specialist colleges and mainstream FE colleges.

There are a number of examples of specialist colleges doing outreach work with local FE colleges to share knowledge and expertise.

There are also examples of learning programmes that consist of some time away at a residential college for certain learning that cannot be provided locally, alongside terms attending the local FE college.

Eg independent travel training or training to use specialist equipment or IT may be best provided by a residential specialist college. However, once that part of the student's learning programme has been achieved that may equip them to continue the rest of their course at the local FE college, using the skills they acquired at specialist college.

In many cases this has proved a cost effective way of ensuring the student's individual needs are met and of allowing the student to move on and progress in their chosen area.

Recommendation:

1 Maintain the existing collaboration between specialist colleges and local FE colleges to share expertise.

2 Encourage Local authorities to work closely with FE colleges and specialist colleges to develop programmes and courses together to reduce the numbers spending whole year programmes at residential colleges at high cost. i.e.

students would do part of their programme at a residential provider and the rest at a local college.

3 Develop the key worker's role to negotiate this type of shared programme development to meet individual students' needs.

20 How can we continue to build capacity and SEN specialist skills at each tier of school management?

Comments:

This question should relate not just to school management but also to management in FE colleges and training providers eg organisations that provide off the job training for apprentices.

Recommendations:

Leadership

1 There needs to be commitment from top managers, Principals and Governors to building capacity and specialist skills for working effectively with disabled students.

2 There must be a shared priority of inclusion for all staff, at all levels in the organisation from reception and security staff in college, to senior course managers, as well as tutors and student services.

Inclusion of disadvantaged groups

1 The definition of disadvantaged groups must explicitly include disabled people.

We also believe students with caring responsibilities for disabled parents/relatives should be specified to prevent 'discrimination by association' and support this disadvantaged but growing group to participate fully.

2 The school and college strategic plans and monitoring criteria must evaluate the inclusion of disabled students on the college courses to check the take up by disabled students.

For example recent changes in post-16 funding has meant that some colleges

are less likely to recruit students who present a business risk by perhaps taking longer to complete their accreditation owing to their disability.
A measure of inclusion could be to monitor what proportion of disabled students who apply for course places are accepted/refused a place.

Training

Disability awareness training is a requirement for all teaching and non-teaching staff – please see question 19.

Monitoring

Each school and college inclusion plan should make clear who is responsible for monitoring the participation of disabled students and leading a review of practices.

Mentoring and peer review/support

Many schools and colleges already have in place effective programmes of mentoring and peer support to strengthen skills in working with disabled students.

For example in colleges part of the quality assurance process is for peer teaching observations.

Others have systems of champions, where a teacher with particular expertise in working with students with a particular disability is available to offer support to colleagues with such a student in their class.

21 What is the best way to identify and develop the potential of teachers and staff to best support disabled children or children with a wide range of SEN?

Comments:

Given the proportion of students who are identified at some point to have disability-related support needs, there should be an expectation that all teachers and lecturers will have disabled young people in their classes. It follows they should all expect to need and receive training.

Part of that basic training is to develop an understanding that each person's needs are unique to them and that all teaching staff need to develop a range of teaching and learning strategies to meet those specific needs – one size does not fit all.

Schools and colleges should set up mechanism to share knowledge and expertise and to provide peer support.

22 What is the potential impact of replacing School Action and School Action Plus and their equivalents in the early years with a single category of SEN in early years settings and schools?

Comments:

School Action and School Action Plus group

Disability Alliance is very concerned that the Green Paper and this consultation question seem to assume that young people currently supported by School Action and School Action Plus will be subsumed in a group currently called SEN. Yet the Green Paper states the government's intention is to reduce the number of assessments.

The numbers of young people who receive a Statement has already reduced over a number of years, driven mainly by funding criteria. Yet the numbers who are recognised as having disability-related support needs have increased both in school (School Action and School Action Plus) and in FE post-16.

FE providers frequently identify disability support needs for students who received no such recognition throughout their schooling.

Many young people receive personalised additional support for short periods through School Action and School Action Plus in order to help them overcome barriers caused by the education system.

For example a student with dyslexia may need additional support to organise their workload to manage successfully assignments and course work, but not for other types of assessment.

A student on the autistic spectrum may find change particularly difficult and need more support in the first few months at college than subsequently.

Support at transition for students with School Action or School Action Plus disability-related support

Some Local Authorities do fulfil their powers under the Act, in providing a s139A assessment for young people without a statement, but who have support needs because of their disability. Many are receiving support through School Action or School Action Plus.

However, many local authorities only provide the s139A assessments for those with a statement – the duty group.

This means that currently not all disabled young people with support needs receive the personalised and in-depth assessment they require to ensure a smooth transition to college or training.

As a result they may not be adequately advised about the options available. The post-16 providers may not receive adequate information at application stage or enrolment to know they need support or what type of support they will need.

Colleges tell us that this lack of information may mean the college takes several weeks to identify what support is needed, and possibly longer to set it up, particularly if specific assessments are required with a waiting list.

The result of this is that the students' support needs are not met at the start of the course. They may struggle to keep up with their course work and assignments, resulting in lower results than their potential. This is discouraging and can lead to demotivation and students dropping out of college.

This is a very negative experience for the student and is financially detrimental for the college.

National data shows the large numbers of 17-18 year olds who drop out of FE college courses and become NEET. Some of these are disabled students who do not receive the appropriate support on starting their courses because their needs are not communicated to the FE colleges through the s139A.

Disability Alliance is concerned that this large group of young people

will not be identified or supported in the current plans for a single assessment and plan.

The Green Paper does not address these issues and so is ignoring existing evidence of the scale and importance of this for many young people with less complex needs.

Recommendation:

There must be clear duties for schools and local authorities in relation to the transition process for young people who have recognised disability-related support needs, but who may not receive a full single assessment or plan. (That is, those currently receiving support through School Action and School Action Plus)

24 How helpful is the current category of Behavioural, Emotional and Social Development (BESD) in identifying the underlying needs of children with emotional and social difficulties?

Very helpful

Helpful

Not very helpful

Not at all helpful

Not sure

Comments:

Please see response to Question about SEN categories.

Assessment should identify the cause and the support needed to reduce the impact and allow young people to reach potential.

Person-centred planning approach would focus on what barriers student feels he/she faces and what would help them to overcome these.

Term is not used post-school.

Is not a description anyone would use to describe their disability or support needs. So is not a term FE or HE would encourage students to use in self-disclosure of their disability.

25 Is the BESD label overused in terms of describing behaviour problems rather than leading to an assessment of underlying difficulties?

Yes

No

Not Sure

Comments:

Any use of this term in schools and local authorities is over-usage in that it is not used post school at all.

26 How could we best ensure that the expertise of special schools in providing behaviour support is harnessed and shared?

Comments:

Please see responses to Questions 18, 19, 20 and 21 which are also about ways of sharing expertise.

28 What are the ways in which special academies can work in partnership with other mainstream and special schools and academies, and other services, in order to improve the quality of provision for pupils with SEN and disabilities?

Comments:

Please see response to questions 18, 19, 20 and 21 which are also about sharing expertise.

31 Do you agree with our proposed approach for demonstrating the progress of low attaining pupils in performance tables?

Yes

No

Not Sure

Comments:

Low attainment

Disability Alliance is very concerned that the Green paper makes an assumption that disabled young people are low attainers. This is an outdated notion and linked to historic educational barriers for disabled children which governments have aimed to tackle.

Many disabled young people progress to Higher Education and to postgraduate studies and employment, including those who attend specialist colleges.

If disabled young people and their parents were reliably given the appropriate careers guidance and information about the full range of options available to them, then more would reach their potential and progress in FE and HE.

The link between education and employment for disabled people

Disabled people who have reached a higher level of education are significantly more likely to gain employment than those who have not.

Disabled adults are three times as likely as others to have no qualifications.²

This is why it is so important for disabled people to achieve their potential in education and training. The likelihood of a disabled person entering and sustaining employment is much greater the higher their qualifications.

And the gap between the proportion of disabled people in employment compared with non-disabled people narrows the higher the qualifications achieved.

Chapter 4: Preparing for Adulthood

33 What more can education and training providers do to ensure that disabled young people and young people with SEN are able to participate in education or training post-16?

Comments:

Range of provision available

Disabled people should have a choice in education and training as non-disabled people do.

Local authority duties

LAs have a duty to ensure there is appropriate education or training for all young people 16-19 and up to 25 for disabled young people with a s139A Learning Difficulty Assessment.

They are now working to identify gaps in provision for disabled young people, but need to maintain closer tracking and monitoring of progression, numbers who are disabled and NEET, and what provision has good outcomes for disabled learners.

A positive outcome however means not simply the next level of accreditation, but meeting the student's learning aims. So some students may progress to supported employment or independent living and reach their potential. Others may be capable of a higher level of achievement but are not encouraged to consider that option.

² How fair is Britain? Equality and Human Rights Commission 2010

For example:

One student on a Level 1 Foundation programme at a local FE college told us he had already achieved 2 A-levels, grades D and C. When I asked why he was on a Level 1 programme now he said that it was all the college could offer him because he was a disabled student.

Clearly the good practice found in so many colleges was not his experience. The local authority had not met its duties.

Quality and impartial careers guidance and information to ensure young people and parents know the full range of provision available from at least Year 9. Please see response to Question 4.

Person centred planning process so that all disabled young people have considered their strengths, barriers to progression and solutions – a single plan with regular reviews.

Collaborative provision – please see response to Question 4.

Capacity building for shared good practise and expertise
Please see response to Questions 18, 19, 20 and 21, which are also about sharing expertise.

34 When disabled young people and young people with SEN choose to move directly from school or college into the world of work, how can we make sure this is well planned and who is best placed to support them?

Comments:

Early planning and careers guidance

Please see response to Question 4

Quality impartial careers guidance

Face to face for all disabled young people in school and college from at least Year 9 up to age 25

Please see response to Question 4

Quality assurance for careers guidance in the Education Bill currently going through Parliament

Please see response to Question 4

Training for all careers guidance practitioners

Please see response to Question 4

Work experience in the curriculum

Young people are far more likely to find employment if they already have some work experience – this is equally the case for non-disabled people and graduates.

Many FE colleges incorporate work experience in their programmes for disabled students. The curriculum will build up employability skills, awareness of the expectations of an employer as well as work related vocational skills.

Many colleges employ staff to find appropriate placements in a range of employment sectors and job coaches to support the young people on placement.

In a recent focus group with parents all the parents wanted to see their children in work

'it's so satisfying to see my child working'

Students from mainstream schools in our focus groups told us that they had not been offered work experience, whereas their non-disabled peers had all been

placed.

They felt discriminated against and some said they assumed that means they would not be able to work when they left school.

A parent told us:

'if my daughter wants to undertake work experience then I have to go out and find it for her myself'.

Some parents reported that their children were unable to undertake work experience as they were not able to travel their independently. This reinforces the importance of independent travel training. Please see response to Question 4.

Recommendation:

1 All young people should have work experience opportunities embedded in their curriculum. The Wolf Report (2010) also endorsed the value for all young people and the government has accepted all the report's recommendations.

2 Under the Equality Act schools will now have a duty to ensure that disabled young people are not treated less favourably than other students. It will therefore not be legal to offer work experience to others and not to disabled young people.

3 The importance of independent travel training to ensure that disabled people can access work and work experience is very clear.

Supported employment and job coaching for those who need it

For some young disabled people supported employment may provide an appropriate stepping stone to employment, or be a realistic goal.

Opportunities may be available on site, in social enterprises, which many specialist and mainstream colleges have set up.

Other opportunities are offered by supported employment organisations, which may also provide government funded schemes under the Work programme.

The range of work openings and the quality of the support can be variable, but in the NW Hub area parents and young people were enthusiastic about the opportunities and sense of achievement they had experienced.

The parents' group stressed how the opportunities that arise from supported

employment programmes are cheaper than placing a young person in a day centre where they are not stimulated and will never make a financial contribution to society.

Example of good practice:

Pure Innovations is a supported employment organisation in Manchester and was praised by the parents as being effective at getting learners with complex SEN and Learning disabilities into work

Job coaching

Many studies have shown the value of job coaching for both the disabled employee and the employer.

Job coaches are sometimes employed by colleges to ensure their students are appropriately supported and helped to become increasingly independent in the workplace. Sometimes Learning Support Assistants from college will take the job coach role.

A significant part of the role will be to ensure the employer, the manager and work colleagues understand the reasonable adjustments required and are helped to put them in place. The job coach will agree the day's objectives with the employer and student, and then review how the day went. The placement will be planned in the same way as their other learning goals and reviewed regularly.

The funding of job coaches is a great concern. Colleges are finding it increasingly difficult to budget for this role. Funding streams for supported employment organisations are inconsistent and are not always adequate.

There is now a training programme and recognised accreditation for job coaches in recognition of the skills required and for a quality assurance system.

Recommendations:

1 The Guidance that will follow the Green Paper must include an expectation or requirement for colleges to incorporate supported employment opportunities in their curriculum for disabled young people.

2 Funding for FE from the Skills Funding Agency must make provision for the costs of job coaches.

3 All job coaches should be encouraged to undertake the accredited training to build quality services.

Financial incentive for employers

Access to Work

There is already a scheme Access to Work, which can help disabled people and employers fund “reasonable adjustments” to ensure barriers to undertaking work are removed. This can include funding screenreading software or transport for example.

Awareness of the scheme is low and focusing on young people would be welcome.

Disability Alliance welcomes the proposal to extend this to Apprentices and would equally like to see it extended to work experience, internships and volunteering opportunities that can help build work-readiness, skills and confidence.

Skill: National Bureau for Disabled Students has already recommended to the Minister for Disabled People and to senior officials at DWP that recent assessments for students in FE and HE could be used as a basis for Access to Work assessments to reduce costs and ensure continuity for students. This could also help to prevent delays that can occur for new employees waiting for an assessment.

There is one proviso, that a work assessment should relate to the employee’s new work place and role, IT systems and responsibilities.

35a) Do you agree that supported internships would provide young people for whom an apprenticeship may not be a realistic aim with meaningful work opportunities?

Yes

No

Not Sure

35b) How might they work best?

Comments:

Disability Alliance does not support the idea that supported internships should be an alternative to apprenticeships. They are two different types of opportunity.

Supported internships provide unpaid (expenses only) work placement opportunities. These are helpful to provide work experience, obtain a relevant work reference, gain work-based skills and employability skills.

They already exist for graduates, for both disabled and non-disabled people.

It would not be helpful to create confusion by calling pre-apprenticeship level opportunities (so below Level 2) internships, when that term is already associated with graduate and postgraduate level work experience.

However the Disability Alliance supports the idea of additional support to help disabled applicants to gain an apprenticeship.

Apprenticeships can be at Level 2 or higher, are employed status and require the employer and training provider to follow a prescribed framework of experience and study, leading to Level 2, 3 or higher skills qualifications defined by the Sector Skills Councils.

Pre-apprenticeship programmes historically were available at some training providers, with no work placement at all, but gave an opportunity to learn off the job work-based skills, often with no accreditation.

These are no longer funded by the Skills Funding Agency because they had become an end in themselves and did not lead reliably to employed status apprenticeships.

Access to apprenticeships

Skill: National Bureau for Students with Disabilities undertook research in 2009 and 2010 that showed a reduction in the number of disabled apprentices compared with previous years. This is a worrying trend when the government claims to support disabled people into work.

Skill made recommendations on ways of increasing participation by disabled people in apprenticeships. These included the finding that some disabled students were prevented from entering apprenticeships because their disability made Functional Skills qualifications more difficult to achieve.

For example hearing impaired students have more difficulty achieving Level 2 or beyond in English because they are prevented from gaining the listening and speaking components, even though they employ alternative means of communication.

Skill recommended that disabled students would benefit from an alternative way of demonstrating their capabilities to employers, including a portfolio of evidence.

Disability Alliance welcomes the opportunity to support BIS and the National Apprenticeship Service to define what such a portfolio would include to ensure credibility with employers.

36 How can employers be encouraged to offer constructive work experience and job opportunities to disabled young people and young people with SEN?

Comments:

Context

The vast majority of disabled young people say that they want to work, like everyone else. This includes disabled people with a statement, those who attend special schools, mainstream and specialist colleges.

Disability Alliance welcomes the government's explicit commitment to supporting disabled people into work.

Disability Alliance also welcomes the BIS commitment to ensure that disabled students are a priority in the Skills strategy and in Further education.

The data on the employment levels of disabled people overall shows a higher proportion of disabled people are unemployed compared with non-disabled people.

What should be done

The Sayce Review of DWP programmes for disabled people (June 2011) identifies a number of ways government should ensure that employers take practical steps to include disabled people in the workforce.

1 Government should ensure adjustments are funded for internships, work experience, learning on the job programmes and work placements. *This can be through ring-fenced budgets within programmes, plus a ring-fenced budget within Access to Work.*

2 The Department should use the budget currently allocated to funding Residential Training to open-up opportunities for work experience, including internships, work placements and on-the-job learning. *This could*

be through ring-fenced funding under Access to Work.

3 The Department should make employment of disabled people a cross-government objective with joint ministerial responsibility.

Work experience for all 16-19s

All young people should be offered work experience including disabled young people. Indeed the government has accepted the Wolf report recommendations on work experience for all 16-19s.

This must be set up so that the job role is defined, the reasonable adjustments are in place and a job coach is available to work with both employer and students.

This will mean that more employers will have worked with disabled people and understand that adjustments need not be expensive or complex to operate.

Financial incentive for employers

A financial incentive for employers might encourage them to make reasonable adjustments for work placements, when Access to Work is not available.

Publicity campaign on Access to Work

The Sayce Review (2011) also made a large number of recommendations regarding Access to Work:

Access to Work should be transformed from being the best kept secret in Government to being a recognised passport to successful employment, doubling the number of people helped.

39a) Do you agree that our work supporting disabled young people and young people with SEN to prepare for adulthood should focus on the following areas: *(please tick those with which you agree)*

| | | |
|--|--|--|
| <input checked="" type="checkbox"/> ensuring a broad range of learning opportunities | <input checked="" type="checkbox"/> moving into employment | <input checked="" type="checkbox"/> independent living |
| <input checked="" type="checkbox"/> transition to adult health services | <input type="checkbox"/> none | <input type="checkbox"/> not sure |

Comments:

Disability Alliance agrees that preparing disabled people for adulthood should include all of the above.

Please see previous questions for details of each.

Ensuring a broad range of learning opportunities – Question 4

Moving into employment – Questions 34, 35 and 36

Independent living – Question 4

39b) What else should we consider?

Comments:

Please see previous Questions – independent travel training Question 4

Chapter 5: Services Working Together for Families

40a) Do you agree with the following three core features of the role of local authorities in supporting children and young people with SEN or who are disabled and their families? *(please tick those with which you agree)*

**strategic
planning for
services**

**securing a
range of high
quality
provision**

**enabling families to
make informed
choices and exercise
greater control over
services**

none

not sure

Comments:

Strategic planning for services

Local authorities have a duty to ensure there is appropriate provision for all young people 16-19 and or disabled people to age 25.

To plan they need information about the appropriateness of existing provision and gaps.

They also need to track the progression of disabled people to know what works and what does not.

A satisfaction survey and involvement of disabled people would also inform their strategic planning.

A recent research project in the NW found a number of examples of good practice:

For example, that a new computer system has been introduced for tracking people in transition.

In Halton a Transition Tracking Panel meets termly

Likewise a Transition Planning Team exists in Manchester. Manchester respondents also said that Connexions and Barnardos (for LAC) are involved in tracking young people's transition.

For tracking young people with complex SEN/LDD 16-25 who are at risk of disengagement Halton also has a NEET monitoring group and a Missing from education group

A focus group was held with Halton Transition sub group as part of a research project in March 2011.

The Transition sub group is a multi-agency group established in 2002 to consider a collaborative approach to transition with education (pre and post-16), health, Adult Services, the YPLA, Connexions partners. There is no supported employment organisation involved in the group (however there is communication with a dedicated personal adviser at Job Centre Plus who is trained to support people with disabilities). The group works to ensure that those partners involved in transition are as integrated as possible to ensure a smooth progression from school to post-16 provision for learners with complex SEN and LDD.

The group looks at young peoples' experience of the transition process and works to ensure that there is appropriate provision. It considers what works well, what barriers exist and how to improve service provision. The group focuses on complex needs and last year the group's term of reference was widened as it appeared that it had overlooked moderate, emotional and social difficulties and look too specifically at NEETs.

Securing a range of high quality provision

This is a local authority duty and has been discussed above.

Enabling families to make informed choices and exercise greater control over services

A range of professionals will support families to choose wisely – see previous questions.

42 What would be the best way to provide advice to GP consortia to support their commissioning of services for children and young people with SEN or who are disabled and their families?

Comments:

In the same way that teaching professionals in school and colleges need disability awareness training and an increased knowledge about the ways that disabled people can be supported to study and to work, so do medical professionals, both in the community and in hospital services.

There are good examples of medical schools working in collaboration with disability organisations to raise medical students' awareness of disability but this is still a very short and inadequate response to the problem.

Families often report that on diagnosis of their child's disability doctors tell them that they are unlikely to work or live independently. In fact though many doctors are not knowledgeable about reasonable adjustments, or the range of work roles disabled people do successfully undertake.

Inadvertently doctors may lower the parents' expectations for their child as they move to adulthood and give them incorrect information about employment choices.

Nor do doctors commonly understand the social model of disability, being by

definition, focused on the medical causes of the child's disability.

Recommendation:

Ensure all doctors have disability awareness and the social model of disability training and know about Access to Work and the legal requirement to provide reasonable adjustments.

48 What are the innovative ways in which new models of employee-led organisations, such as mutuals and cooperatives, could improve services for children and young people with SEN and their families?

Comments:

Social enterprises in colleges

Social enterprises are often established by local FE colleges and specialist colleges in order to provide realistic work experience opportunities on-site, in a supportive environment.

For some students this may be a realistic goal on leaving college, for example some students with learning disabilities.

However, for others it is a valuable stepping stone to other supported employment opportunities outside the colleges, and to open employment.

The same work placements may be possible in some cooperatives and mutuals, as they are in private sector organisations.

Placements in social enterprises and other employers can also be integrated into the student's course at college to build and practise employability skills and vocational skills.

Job coaches

These work placements frequently require the support of job coaches, who support the disabled student and the line manager, HR and work colleagues to find ways to support the student's development in work.

Recommendations:

1 Funding for job coaches should be provided when students complete work placements in social and private enterprises.

2 FE colleges should be encouraged to provide such practical work experience opportunities for the majority of disabled students as an integral part of their

curriculum.

49 In addition to their role in the assessment process, what are the innovative ways in which educational psychologists are deployed locally to support children and young people with SEN or who are disabled and their families?

Comments:

Educational Psychologists are rarely employed in work with young people approaching school leaving age or who have already left FE, even if the young person's disability has changed or there was late onset.

If the proposals to have a single plan up to the age of 25 are implemented then educational psychologists should be employed to work with these groups of older young people.

52 What do you think can be done to facilitate and encourage greater collaboration between local authorities?

Comments:

There are plenty of examples of good practice where that has happened already, as evidenced in the extensive and illuminating reports produced by the Transition Information Network.

The recent Skill research project in the NW Hub shows 23 local authorities working together effectively.

London Councils have shared protocols for working to support disabled young people.

Portability (between authorities) of care packages may also facilitate greater collaboration.

56 What are the ways in which we could introduce greater local freedom and flexibility into the ways in which funding for services for children and young people with SEN or who are disabled is used?

Comments:

Shared budgets or pooling budgets, with funding from different departments together securing personalised services.

Individual budgets could introduce both flexibility and choice

57 What are the areas where the voluntary and community sector could have the greatest positive impact on services for children and young people with SEN or who are disabled and their families, and what are the ways we can facilitate this?

Comments:

Please see response to Question 6.

The involvement of the voluntary sector can best be facilitated by ensuring that they do not waste resources by having to re-apply for funding year on year.

Short term funding for projects means that staff expertise is usually lost in a short period and frequently services stop just as they need to become embedded in mainstream funding.

58 How do you think a national banded funding framework for children and young people with SEN or who are disabled could improve the transparency of funding decisions to parents while continuing to allow for local flexibility?

Comments:

Needs

Current systems indicate that there is a temptation to push a young person into a lower funding band if their needs are close to the next and lower band.

There could be a danger that the individual's needs are no longer paramount.

Whatever funding allocation system is in place it should be transparent, easily understood by disabled people and their parents and fair.

A system that is easier to operate, explain and administer benefits both providers and users. We are a long way from that.

Flexibility

Also, with each review of needs and progress, there needs to be flexibility, because if the needs change - or the support proves not to be effective - then the individual's package may need to change mid-year or mid-course to another band.

There needs to be recognition of that and for the system to cope with that from the beginning, not as an after-thought.

It could mean a revised package costs less, not automatically more. eg no longer needs intensive 1:1 travel training, or assistive technology training, because acquired those skills and moved on more independently.

However, could reflect a deteriorating condition, or a fluctuating condition, where additional support may be necessary.

What is not working now, that can be avoided in a new system?

This proposal may reflect the starting point of the historic LSC/YPLA/SFA bands for Additional Learning Support. The question is: does that work for disabled young people? And does it work for providers? What happens now that is a problem for disabled people and can we avoid it?

For example funding does sometimes dictate a young person's choices, not their preferences, as in the criteria for a place at a specialist residential college.

There is very limited choice for most disabled young people - whereas a non-disabled person would have genuine choice of course and provider. This could be because Local Authorities do not commission and providers can ignore local needs with impunity with their flexibilities.

Often young people and parents are not adequately informed of all the options available or the longer term funding implications of choices. For example of staying at school 6th form to 19 and then having to pay fees for local FE colleges.

59 How can the different funding arrangements for specialist provision for young people pre-16 and post-16 be aligned more effectively to provide a more consistent approach to support for children and young people with SEN or who are disabled from birth to 25?

Comments:

Aligned funding pre and post-16:

There is a simple logic to this proposal, but the starting point is of two existing separate systems, both of which are under review and change.

eg the impact of Academies, Free schools, reduced LA services (perhaps), Pupil premium.

Both school and post-16 funding systems for disabled people should be understandable by the students, parents and advisers, tutors and students services staff.

The Green Paper recommendations need to be fully aligned with or integral to the review of FE funding and the review of school funding. In neither sector should the needs of disabled young people be a separate after-thought. Their needs should be integral to the design of the system.

The main problem for many disabled students aged 19-24 at present is the split between two agencies of FE funding for 16-18 and 19+. The breaking up of the LSC into 2 agencies in this way has created issues for those young people who fall between the two, in particular disabled young people 19-24 are disadvantaged.

For example, a disabled young person may take longer to reach their potential at school and may leave at 19. However, they will then be charged adult fees at FE colleges, even though it is their first progression from school and even if they have a s139A assessment.

There have been many cases where disabled young people have not expected

this to happen, cannot afford the fees and have dropped out of education and training.

The local authority may have a duty to ensure there is appropriate provision, but may not still be in touch with the learner, and colleges are not required to give fee remission for disabled young people 19-24.

This must be avoided in future funding systems.

61 Please let us have your views on responding to this consultation (e.g. the number and type of questions, was it easy to find, understand, complete etc.)

Comments:

This questionnaire is very long and repetitive in parts.

It focuses too much on school and local authority practices, given the Green Paper proposes an assessment and planning process for disabled young people up to age 25.

There needs to be much greater focus on opportunities in FE colleges.

In particular it does not address the current issue of disabled young people aged 19-25 falling between the support mechanisms funded by the YPLA and the Skills Funding Agency.

And there should be greater recognition that many disabled young people progress very successfully to Higher Education.

Although the remit of this Green Paper is not to describe funding mechanisms, but to outline proposals for processes, there will be a need to clarify how the proposals will be funded, particularly in this period of extended austerity.

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

Please acknowledge this reply x

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

| | |
|--------------|-----------------------------|
| X Yes | <input type="checkbox"/> No |
|--------------|-----------------------------|

All DfE public consultations are required to conform to the following criteria within the Government Code of Practice on Consultation:

Criterion 1: Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2: Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3: Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4: Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5: Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6: Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7: Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

If you have any comments on how DfE consultations are conducted, please contact Donna Harrison, DfE Consultation Co-ordinator, tel: 01928 738212 / email: donna.harrison@education.gsi.gov.uk

Thank you for taking time to respond to this consultation.

Completed questionnaires and other responses should be sent to the address shown below by 30 June 2011

Send by email to send.greenpaper@education.gsi.gov.uk or by post to:
Consultation Unit, Department for Education, Area 1C, Castle View House, East Lane, Runcorn WA7 2GJ.