

The Implications of the SEND Green Paper and Education White Paper for assessment, intervention, support and parental engagement for children with dyslexia and SpLD

Brian Lamb

Visiting Professor in SEND Derby University

How many children with Dyslexia? Who are we are talking about?

The criteria used for identification are often unknown. The overall number is not further broken down into type of SpLD, so precise numbers of children with dyslexia in state schools in England is also not known.

EHCP by SEND need 2015-2021.

(Source DfE 2022)

	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Autistic Spectrum Disorder	57,474	61,137	66,723	73,450	82,847	92,567
Hearing Impairment	5,956	5,997	5,886	5,873	6,027	6,148
Moderate Learning Difficulty	29,741	28,663	28,341	29,100	29,592	31,159
Multi- Sensory Impairment	634	688	753	915	965	1,021
Other Difficulty/Disability	5,277	5,801	6,163	6,766	7,069	7,841
Physical Disability	12,914	12,782	12,827	13,094	13,371	13,724
Profound & Multiple Learning Difficulty	9,984	10,045	10,072	9,878	10,003	9,976
Severe Learning Difficulty	29,036	29,158	29,532	29,921	30,593	31,300
Social, Emotional and Mental Health	28,344	29,139	31,308	34,922	39,189	45,191
Specific Learning Difficulty	9,009	8,480	8,290	9,080	9,947	11,610
Speech, Language and Communications needs	31,045	32,439	34,415	38,070	42,589	49,530
Visual Impairment	3,343	3,255	3,290	3,385	3,411	3,601
SEN support but no specialist assessment of type of need	282	370	no data	no data	no data	no data
Missing	no data	no data	1	1	1	no data

Footnotes

Proportion of pupils identified with SpLD with an EHCP is smaller than 2010 but has risen slightly recently in line with all SEND categories and is low compared to other groups.

Table 1: Proportion of pupils with an EHCP, by primary type of need, as at January of each year

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Autistic Spectrum Disorder	0.53%	0.56%	0.59%	0.62%	0.65%	0.70%	0.72%	0.76%	0.82%	0.89%	1.00%	1.11%
Speech, Language and Communications Needs	0.37%	0.38%	0.38%	0.39%	0.39%	0.40%	0.39%	0.40%	0.42%	0.46%	0.51%	0.59%
Behaviour, Emotional & Social Difficulties	0.40%	0.40%	0.40%	0.39%	0.39%							
Social, Emotional and Mental Health						0.36%	0.34%	0.35%	0.37%	0.41%	0.47%	0.54%
Severe Learning Difficulty	0.34%	0.35%	0.36%	0.36%	0.37%	0.37%	0.37%	0.36%	0.36%	0.37%	0.37%	0.38%
Moderate Learning Difficulty	0.51%	0.49%	0.46%	0.44%	0.42%	0.40%	0.37%	0.36%	0.35%	0.35%	0.36%	0.37%
Physical Disability	0.19%	0.19%	0.18%	0.18%	0.17%	0.17%	0.16%	0.16%	0.16%	0.16%	0.16%	0.16%
Specific Learning Difficulty	0.16%	0.15%	0.14%	0.14%	0.13%	0.12%	0.11%	0.10%	0.10%	0.11%	0.12%	0.14%
Profound & Multiple Learning Difficulty	0.12%	0.12%	0.13%	0.13%	0.13%	0.13%	0.13%	0.12%	0.12%	0.12%	0.12%	0.12%
Hearing Impairment	0.09%	0.09%	0.08%	0.08%	0.08%	0.08%	0.07%	0.07%	0.07%	0.07%	0.07%	0.07%
Visual Impairment	0.05%	0.05%	0.05%	0.05%	0.05%	0.04%	0.04%	0.04%	0.04%	0.04%	0.04%	0.04%
Multi-Sensory Impairment	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%	0.01%

Proportion of children with EHCP's with SpLD is smaller than for other SEND categories.

SEND Category	SEN Support	EHCP	As a proportion of total number of children with EHCPs in that SEND category
Speech, Language and Communication Needs	245,232	49,530	16.8%
Moderate Learning Difficulty	203,454	31,159	13.28%
Social, Emotional and Mental Health	195,294	45,191	18.79%
Specific Learning Difficulty	145,187	11,610	7.1%

Key Points

- Numbers of Children identified with SpLD is relatively low compared to some of the other SEND groups such as Autism, SPLD, MLD and SEMH but higher than low incidence SEND such as Sensory Impairment.
- It is not clear exactly how many children within the SpLD category have Dyslexia.
- Number of children with SpLD at SEN support has grown slightly numerically though it fell last year and proportionally has fallen since 2015.
- In terms of an overall proportional decrease in number in receipt of an EHCP from 2010 to 2021 but a slight increase from previously in the last two years. The number of children with Dyslexia with an EHCP is low in comparison with all other SEND groups apart from low incidence Sensory Impairment.
- In identification we also need to acknowledge that dyslexia is also a lived experience for people not simply a diagnostic category (MacDonald, 2013).

Identification and access to state support- is SpLD (Dyslexia) identification distorting the the SEND system?

- Number of children with SpLD accessing statutory support through statements and now EHCP's has gone down proportionately as has identification at SEN support and there has been a significant shift away from those using Tribunals to secure provision.
- The proportion of children identified with SpLD going onto to secure an EHCP is lower than most other SEND categories.
- Another way of putting this is that it is harder to get an EHC plan for a Specific Learning Difficulty than other SEND category's.
- "In 1998/9, they (SpLD) accounted for the highest proportion of appeal registrations (around a third). Numbers have significantly reduced. SpLD is no longer seen as a rare condition requiring highly specialist approaches, but part of the 'business' of all teachers." (SENPF Research Paper 2021).
- It is the history of the development of provision around SpLD that has created a narrative around Dyslexia being used as a label to divert resources (Kirby 2019, 2020).
- Therefore in terms of identification of SpLD/Dyslexia there is no evidence of a rise in identification in recent years and therefore of parents using this designation more in recent years to access schools resources compared to previously. If anything they have reduced.

The current SEND system and SpLD

- The revised SEN Code of Practice (DfE, 2015) and the Teachers' Standards (DfE, 2012), require that all teachers are teachers of children with SEN and that teachers have explicit accountability for the progress of all children in their classes
- The CoP requires that once a SEND need is identified the graduated response is used for identifying and addressing more complex and persisting literacy and /or numeracy difficulties
- Successive reviews have questioned the quality of assessment and timeliness of assessments and subsequent interventions (Ofsted 2010, 2021).
- There is substantial evidence that identification of all categories of SEN is inconsistent between schools and settings, (Hutichinson 2021) is dependent on school context and quality of provision and that this is not a new issue (Ofsted 2010, Lamb 2009)
- The reasons for this are complex but include the relativistic nature of the SEND definition (Lamb 2009), over and under identification of SEND needs due to poor teaching, assessment and knowledge (Ofsted 2010, 2021), local variation in the implementation of the local offer (Norwich 2014) are some of the factors

Role of Parents and SpLD

- Parents often faced active institutional resistance within and across the school system to recognising and making provision for children with SpLD.
- There are difficulties with SEN support procedures experienced by parents/carers whose children have no EHCP (Ross 2019, 2020)
- Multiple studies have emphasised the inadequate consideration of parental views, and poor support for children with SpLD (Ross 2020).
- There is little evidence that parents of children with dyslexia 'captured' pre-existing resources that were then channeled to one group at the expense of others.
- Kirby (2020) suggests 'the role of concerned parents....has not been a sinister plot to acquire undeserved funding, but a necessary reaction to the absence of state support for reading difficulties and so any other pathway to assistance.'
- School funding is not a zero based game-additional provision often benefits children more widely and increases overall SEND funding

“All this underlines the importance of ensuring that the identification of specific learning and literacy difficulties such as dyslexia is timely and accurate, and that it is then followed up by the right support. For many children, more specialist levels of assessment and intervention come too late.”

SASC Draft Report



The Implications of the SEND Review and White Paper



What issues is the Green Paper trying to address?

“A vicious cycle of late intervention, low confidence and inefficient resource allocation is driving these challenges” (SEND Review)

Challenges;

- “outcomes for children and young people with SEN or in alternative provision are poor”
- “navigating the SEND system and alternative provision is not a positive experience for children, young people and their families”
- “Too many parents and carers do not feel confident that local mainstream schools can meet their child’s needs.”
- Lack of Accountability and consistency in the system with significant unwarranted local variation
- Parental dissatisfaction with the impact of the 2014 reforms “the SEND system is bureaucratic and adversarial, rather than collaborative”

Schools and early years provision

- The Education White Paper introduces a parent pledge designed to support the Government's commitment that **any child falling behind in Maths and English will have addition support** and to ensure that "schools communicate this work to parents, ensuring parents are fully engaged in their child's education" (DfE 2022 p37).
- This pledge also covers children with SEND who should "**not need a diagnosis in order to access academic support.**" (DfE 2022 p37)
- "the vast majority of children and young people should be able to **access the support they need** to thrive without the need for an EHCP or a specialist or alternative provision place."
- "**early and accurate identification of needs**, high-quality teaching of a knowledge-rich curriculum, and prompt access to targeted support where it is needed."
- "improve mainstream provision, building on the ambitious Schools White Paper, through excellent teacher training and development and a '**what works' evidence programme**' to identify and share best practice, including in early intervention"
- "all children will benefit from being taught in a family of schools, with their school, including special and alternative provision, in a strong multi-academy trust (MAT), or with plans to join or form one, **sharing expertise and resources** to improve outcomes"
- Review of best practice in reasonable adjustments for disabled children.

System Changes- National Standards

“We propose to bring forward legislation to place the standards on a statutory footing within the early years and education sectors and revise the SEND Code of Practice”

- “the standards will set **consistent processes for decision-making** on how a child or young person’s needs are identified and recorded and instruct on how and when an assessment should take place, who should be involved in the assessment process, and how the information and evidence collected should be recorded and monitored.”
- “the national standards will set out the full range of appropriate types of support and placements for meeting different needs. This will include setting out when needs can and should be met effectively in mainstream provision, and the support that should be made **ordinarily available** in mainstream settings to facilitate this.”
- “set out clear processes for **accessing and reviewing the support** that is put in place in mainstream settings”
- “We will set out **clear guidance on the effective use and deployment of teaching assistants** to support children and young people with SEND as part of the national standards. “
- National standards for areas of service including “for co-production and communication with children, young people and their families so that they are engaged in the decision-making process around the support that they receive and the progress they are making.”

Funding

- “We will move to **standardise the calculation of schools’ notional SEN budgets** in the context of full implementation of the direct National Funding Formula (NFF) for mainstream schools in which DfE rather than local authorities, will determine budget allocations for individual mainstream schools through a single, national formula.”
- “While we are clear that some threshold should be retained, we will consider whether **£6,000 per pupil, per year** remains the right threshold beyond which schools can expect to draw down additional high needs funding.”
- “As part of the new national SEND and alternative provision system, we propose the introduction of a new national framework of **banding and price tariffs** for high needs funding, **matched to levels of need and types of education provision** set out in the new national SEND standards.”

How do we address these issues and the SEND Review?

- Standards for the SEND system needs to review process for referring policies, funding levels and access thresholds as part of a revised SEN support offer and in the discussion of a national banding and tariff system
- Access to resources should not depend on parental means; assessment for and diagnosis of dyslexia should be undertaken in a timely fashion funded through the SEND system (Ross 2020, Norwich 2005).
- If more is going to be expected directly from trust schools (White Paper) then we need to improve schools' limited ability to commission their EP and other expert services (Ross, 2019).
- Significant boost to funding for specialist teaching and assessment services and professional training for teaching assistants and classroom teachers. (SASC recommendation).
- Training and support should also cover the value of home-school collaboration for supporting learners with SpLD/Dyslexia (Lamb 2022, Ross 2020, Kelly et al. 2017).
- National standards in the development of co-production with parents (e.g. Rotherham four cornerstones approach)
- Employ specialist teachers in schools (SASC recommendation).

Final Thoughts

“The future is already here
its just not very evenly
distributed”

William Gibson

The Green Paper is strong on aims in supporting early intervention, inclusion is used again as a Government objective, aligning early intervention, support and funding but weak on how that will be achieved compared to the current system.

For more on the issues relevant for parents;

<https://senpolicyresearchforum.co.uk/senprf-blog-series-send-green-paper-co-production-and-parental-engagement/>