

The British Association of Teachers of the Deaf (BATOD) is grateful for the opportunity to comment on the implications of the 2014 changes to the SEND landscape.

BATOD is the sole professional organisation for Teachers of the Deaf (ToD) in the UK and has strong links with Government and voluntary organisations including Ofqual, the Department for Education and the National Deaf Children's Society. BATOD is a key member of the National Sensory Impairment Partnership.

We have consulted a range of our members and are concentrating our response on the change from Statements to EHC Plans and the support arrangements for deaf young people aged 19 – 25.

BATOD is happy to follow up on any of the points made in this submission.

The transition from statements of special educational needs and Learning Disability Assessments to Education, Health and Care Plans

The changes have led to some **very effective collaborative working practices**. This includes ToDs coordinating and completing the relevant EHCP forms where a deaf pupil is concerned, and this has improved the quality and relevance of the final Plan. In some areas there is efficient collaboration and joint reporting with Educational Psychologists (EPs).

In some areas ToDs who are familiar with individual children are submitting reports rather than EPs who do not know the individual child and may not have specialist expertise in the area of deafness - this leads to more focussed and relevant plans.

Members report that **LA processes and training of ToDs and EPs** is often very good –child-centred and good for families. At the same time there is concern that the training and indeed approach of many schools is not so positive and the process is less efficient.

Colleagues notes that **parents** reported appreciating their increased involvement and that of their children in the new Annual Review process.

The process has **improved participation and decision-making** by the young people themselves. It has led to helpful conversations with families and young people themselves about the development of independence

There is a general concern that schools and LAs are not providing support or providing an EHC Plan to **children deemed to be making progress**. In the case of sensory impairment, it is crucial that the students are achieving their potential as their deafness is not a learning disability – they need to be supported to achieve their potential. Failure should not be the criterion for the receipt of support. This needs to be recognised in the EHC Plans.

The introduction of the **single route of redress** has improved the involvement of Health and Social Care in the whole process although there is still a considerable problem with a lack of responsiveness from both Health and Social Services professionals. Social care is the least represented profession at EHCP meetings. Health reports are often not forthcoming.

EHCP Annual Reviews are often not relevant to **transition to FE**; much more liaison between schools and receiving colleges is needed at the time of the Plan's Annual Reviews; it is crucial that ToDs from FE attend the reviews – explaining the range of opportunity available and the support possibilities, preferably from as early as the Year 9 review.

There is a general concern that the **current funding climate** is leading to the reduction in support staff as they tend to be on short-term contracts and thus are 'easier' to cut.

A concern is that in some LAs school and specialist services have to complete a number of **different forms** – up to six in some areas; there is often insufficient guidance concerning completion and leading to inconsistency of response; there is still too much use of outdated paperwork (eg reports which were written three years ago)

There is a lack of clarity about when the **Plans cease** in different cases

There is still the perennial concern in some areas that those **parents and families who are most vociferous** are most likely to achieve the Plan and support they require.

There is a concern that in some areas the wrong message is being given to parents by some organisations eg stating that young people can only receive support if there is a plan in place. The importance of stressing school and LA responsibilities for those **children with SEND but not having a plan** needs to be more widely recognised – support shouldn't be contingent on having a plan.

It is recognised that there has been an **increase in the number of the EHC Plans** in comparison with Statements although this may be linked to the increasing number of children

The whole area of **post-16 provision** and support needs careful consideration as a key theme is the fragmentation of support; LAs are not always aware of the range of provision or indeed where students with SEND are located and whether they are receiving the appropriate support; EHC Plans can be helpful in this area

Support availability for students in schools with Sixth Forms and those in FE colleges can differ – students with similar needs are likely to receive different provision; the EHC Plan ought to be able to reflect and remedy this

There is a perceived **lack of awareness about Plans** amongst some post-16 providers

Provision for 19-25-year olds including support for independent living; transition to adult services; and access to education, apprenticeships and work

All aspects of the **transition from FE to work** for young people with SEND need to be considered

It is crucial that professionals eg those from social care attend '**exiting reviews**' to support the young people in their next steps

Students have the right not to **declare their disability/need** or not to do so and therefore it is important that discussions with them take place to explain the implications of this

Sharing information about young people between professionals has been made more complex by the introduction of the GDPR

There is no funding available in many colleges for the **training of staff** to provide necessary support and in certain places there are issues with the supply of professionals to provide support

It is a crucial role of professionals, including Teachers of the Deaf, to support the **empowerment of students** and to encourage their self-advocacy

Students in HE are in totally different situation and this is an area of concern also. Experience shows us that the assessment process appears to be solution-led rather than needs-led. For

example, a deaf student cannot have BSL support and a radio aid even though they may need both – only one option is possible.

Teachers of the Deaf in training, provided that they are suitably monitored and supported, should be allowed to provide **support to deaf students at HE** (this is currently not allowed by SFE). It is possible for all other ToDs in training to operate across the full range of activity – again with appropriate supervision – and the refusal of SFE to allow this is causing serious problems with supply of support professionals to students at HE. This applies to other professionals too such as specialist note-takers. It would be helpful if the Select Committee could address this in their report.

Paul Simpson

National Executive Officer, June 2018