

The Driver Youth Trust response to the *Schools That Work for Everyone* consultation

About The Driver Youth Trust

The Driver Youth Trust (DYT) is a national charity dedicated to improving the life chances of children and young people, with a focus on those with literacy difficulties and special educational needs and disabilities (SEND), particularly children with dyslexia.

Our flagship programme, Drive for Literacy, is a whole school model for literacy, built around the Graduated Approach to SEND and starting from Quality First Teaching. Its aim is to build teacher capability and school capacity to identify and support children who struggle with reading, writing, speaking and listening.

We commission research and campaign for policy change so that all children, including those with dyslexia, get the right support to learn to read and write and reach their full potential. Joining the Dots looks at the impact of recent education reforms on learners with SEND, while Fish in the Tree asks the question “*Why are we failing children with dyslexia?*”

We work in partnership with other organisations to help children to access education, build their confidence and realise their goals.

About the consultation

According to the Government, this consultation covers proposals in four key areas:

- Independent schools directly assisting the state-funded sector, through creating more good places, and giving more choice and control for parents.
- Universities playing a direct role in improving school quality and pupil attainment.
- Selective schools providing more school places, and ensuring that they are open to children from all backgrounds.
- Faith schools delivering more good school places, while meeting strengthened safeguards on inclusivity

The following is in response to the short consultation.

Selective Schools

5. Are these the right conditions to ensure that selective schools improve the quality of non-selective places?

'The future is not fated but will be fashioned by our values, thoughts and actions.'
– Frederico Mayor in the Foreword to the Salamanca Statement, June 1994¹.

There is very little benefit to the school population in pursuing a retrograde policy of universal selective education. From the perspective of **Special Educational Needs and Disabilities** (SEND) learners, there is **no benefit** of pursuing a policy which seeks to return to the days of universal selective education.

SEND must be at the heart of schools that work for everyone

We believe that the fact that SEND learners are not mentioned in the consultation document (despite it being called 'Schools that work for everyone') is indicative of a policy which misunderstands the challenges facing schools in England today.

The proportion of pupils who have SEND is now 1 in 7 in our schools², **which is a contributing factor to the underperforming standards of literacy in our country**. There is a worrying trend that SEND learners are being forgotten about altogether by policy-makers and the education sphere.

The proposals presented in this consultation move away from an inclusive system and towards segregation. There are many people with SEND who are highly able (Maggie Aderin-Pocock MBE, Richard Branson and Darcey Bussell are all dyslexic) and yet, SEND learners are excluded from this agenda. It is worth noting that the recent Children and Families Act (2014) is based upon the principle that SEND is not a separate issue but one that sits at the heart of teaching and learning³.

¹ UNESCO, *The Salamanca Statement and Framework for Action on Special Needs Education*, 7-10 June 1994, Accessed Online: http://www.unesco.org/education/pdf/SALAMA_E.PDF Page. iv

² Ofsted, *The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2015/16*, Accessed Online: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/574186/Ofsted_annual_report_education_and_skills_201516_web-ready.pdf Page. 87.

³ *Children and Families Act 2014 Chapter 6*, Accessed Online: http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf

We believe, as stated in the Salamanca Statement (signed up to by the UK in 1994) that access to regular schools for SEND learners combats discriminatory attitudes and helps to build welcoming communities and an inclusive society, which benefits us all⁴.

We welcome this opportunity to respond to the plans set out and to present the likely impact that SEND learners, specifically those with literacy difficulties, may face in a fully selective system as SEND should form a key part of every discussion dealing with education.

Just About Managing

The Government's focus is on improving education for the group of people who are 'Just About Managing' (JAM) and for those eligible for Free School Meals (FSM).

What is often lost in this rhetoric is the implicit link between deprivation and SEND; **28.7% of FSM learners are identified as having SEND⁵**. SEND must be given further consideration by the Government before it pursues selective education as almost **a third of the cohort it is trying to help will have a SEND**. While SEND is not directly related to academic attainment, **children with SEND are far less likely to attend selective schools than their typical peers**.

Figures from the House of Commons Library state that the percentage of SEND learners with Statements of Special Educational Need (SSEN) or Education, Health and Care Plans (EHCP) is less than **0.04%** in grammar schools, (compared to **1.7%** across all schools), whereas the percentage of SEND learners, with needs not sufficient to receive a SSEN or an EHC Plan, for example dyslexics, is **3.6%** in grammar schools, (compared to **11%** nationally)⁶.

⁴ UNESCO, *The Salamanca Statement and Framework for Action on Special Needs Education*, 7-10 June 1994, Accessed Online: http://www.unesco.org/education/pdf/SALAMA_E.PDF Page. ix.

⁵ Joseph Rowntree Foundation, *Special educational needs and their links to poverty*, Accessed online: <https://www.jrf.org.uk/report/special-educational-needsand-their-links-poverty> , 26 February 2016. Page. 8.

⁶ House of Commons Library, *Grammar School Statistics*, Accessed Online: <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN01398> 4 November 2016, Page. 6.

A lack of choice for SEND learners

If these statistics were replicated across England after the expansion of selective education, we fear that the **choice of school for parents with children with SEND would be severely reduced**. There will be much greater pressure on non-selective schools to meet additional needs; this will cause significant financial strain on schools and greater workload for teachers while simultaneously reducing the quality and choice of SEND provision in our education system.

There is a serious risk that SEND learners and those with literacy difficulties specifically will be left worse off by the proposals. Poor literacy already costs our country £2.5bn annually⁷, this cost could be increased by those who are 'left behind' by the proposals.

The best teachers in the best schools

SEND Learners deserve and require the best teaching by skilled and knowledgeable teachers and support staff.

Grammar schools attract and retain the most experienced teachers.⁸ Teaching children with SEND, both within and without the mainstream sector, is a challenge requiring considerable talent and skill.

The Programme for International Student Assessment (PISA)⁹ findings suggest that a focus on teacher knowledge is crucial for high educational outcomes. For instance, in the high performing city of Shanghai, teachers have an average of 40 days of professional development per year – compared to just 4 days in England¹⁰. A focus on improving the teaching profession would be a more effective mechanism to create “schools that work for everyone” than structural reform.

⁷ Every Child a Chance Trust, *The long-term costs of literacy difficulties*, 2nd edition, 2009. Page. 5

⁸ Allen, R. *Grammar schools: four key research points*, Education Datalab, Accessed online: <http://educationdatalab.org.uk/2016/09/grammar-schools-four-key-research-points/> 14 September 2016.

⁹ OECD, *Singapore tops latest OECD PISA global education survey*, Accessed online: <http://www.oecd.org/education/singapore-tops-latest-oecd-pisa-global-education-survey.htm> 6 December 2016.

¹⁰ Sellen, P. *Teacher workload and professional development in England's secondary schools: insights from TALIS*, Education Policy Institute, Accessed online: http://epi.org.uk/wp-content/uploads/2016/10/TeacherWorkload_EPI.pdf October 2016. Page 7.

The education sector has undergone a significant amount of change over the last 5 years. The school system is fragmented. There remain substantial policy challenges such as **teacher morale, teacher recruitment and retention, coasting schools, rising demand for school places** and the **assessment process**. The reintroduction of grammar schools will not address these problems but rather exacerbate them.

We fear that further drastic structural reform through the reintroduction of selective education could hinder an education system that works for all through a further separation of the most vulnerable learners from the best teachers.

Selection by assessment

It is our belief that SEND learners will not get into grammar schools, even if they are academically able. The assessment process used to admit learners to grammar schools is likely not to champion knowledge but rather the aptitude to read and write quickly under test conditions. This will significantly **discriminate** against SEND learners, or breach their legal rights (Equality Act, 2010)¹¹, especially if appropriate access arrangements are not available.

In practice, children with SEND will be much less likely to pass the 11+ and attend grammar schools. The focus on timed assessment will be a significant barrier, particularly for those with dyslexia and who struggle with literacy.

We are concerned by the effect that selective testing at 11 years old will have on the resilience of SEND learners. We know that many children with SEND already see themselves as 'failures' in our school system and we fear that selection at 11 will have a further detrimental effect on children and young people's mental health. Given that figures show **one in ten children aged between 5 and 16 years has a clinically diagnosable mental health problem**¹², the Government should seriously consider the further impact that selection could have on these statistics.

¹¹ Equality Act 2010, Chapter 15, Accessed online:
http://www.legislation.gov.uk/ukpga/2010/15/pdfs/ukpga_20100015_en.pdf

¹² Report of the Children and Young People's Health Outcomes Forum 2014/15, Accessed online:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/410482/CYPHOF_Report_2014-15.pdf Page 10.

We recognise that the Government has attempted to ameliorate this effect by proposing different entry points to grammar schools, however, we feel that, at best, this is a weak solution. We want to see education policy that allows **all** learners to reach their full potential.

Selective Schools and Social Mobility

The 'tutor effect' - whereby more **affluent learners** are trained specifically to pass grammar school tests via costly out of school tutoring further undermines the credibility of selection tests. Verbal reasoning tests can be prepared for by specific tutoring. Pupils eligible for Free School Meals (FSMs) will be heavily disadvantaged.

We challenge the mantra that grammar schools are effective instruments of social mobility, as the percentage of students eligible for FSMs who attend grammar schools is 2.6%, compared to 14.1% across all schools and we do not see any specific details in the proposals to suggest this will change.

Inclusion works

Recent legislative changes have put the structures in place for an education system that is fit for the 21st century. The Graduated Approach based on Quality First Teaching benefits **all** learners.

The findings from OECD's PISA study found that not only are selective systems more socially segregated, they are also less effective than inclusive ones. This is backed up in the OECD's PISA findings which state, "*All students, would benefit from a more limited application of policies that sort students into differing programmes tracks or schools*"¹³.

We need an education system that is fit for our modern times, thus it does not make sense to have only 20% of our children receiving an academic education.

¹³ OECD, *PISA 2015: Results in Focus*, Accessed online: <https://www.oecd.org/pisa/pisa-2015-results-in-focus.pdf> December 2016. Page 8.

Summary

We welcome the Government's vision to create high performing schools for all children. However, we believe there should be a focus on creating educational excellence everywhere rather than experimenting with selection.

DYT cannot support the proposals in *Schools that work for everyone*. The document neither addresses the risks of the proposals to SEND learners, nor does it articulate any benefit for them.

This proposal is not about schools that work for everyone; it will **not** work for many disabled children and those with SEN, **this is at least 4 children in every class**.

The Salamanca Statement states: '*Educational planning by Governments should concentrate on education for **all** persons, in **all** regions of a country and in **all** economic conditions through both public and private schools*'¹⁴.

However, we welcome the Government's vision to have schools that work for everyone and look forward to working alongside them to ensure that SEND learners are at the heart of this vision.

6. Are there other conditions that we should consider as requirements for new or expanding selective schools, and existing non-selective schools becoming selective?

We stress that we believe that a process of further selection will not be beneficial for learners with SEND and that an inclusive approach is beneficial for **all** learners.

However, should the policy proceed we raise fundamental questions of equality in the taking tests at age 11, 14 or 16 to determine selection.

The evidence indicates that SEND learners progress at a slower rate in their primary years compared to that of their typically developing peers. A test at the end of Key Stages 2, 3 or 4 puts them at a substantial disadvantage.

¹⁴ UNESCO, *The Salamanca Statement and Framework for Action on Special Needs Education*, 7-10 June 1994, Accessed Online: http://www.unesco.org/education/pdf/SALAMA_E.PDF Page. 13.

Assessments would need to ensure:

- Test design fully meets the needs of all learners.
- An Impact Equality Assessment is carried out to ensure tests are not discriminatory towards SEND learners, **as required in order to meet the Equality Act (2010).**

In practice, this means that access arrangements are provided, such as:

- Extra time
- Readers and scribes
- Breaks
- Use of computers
- Reprinting tests onto coloured paper

In addition, if the aim of grammar schools is to encourage more poor children to attend them, the Government will need to ensure that learners at every stage have reasonable adjustments in test conditions. Current practice of this in grammar schools is woeful. It goes without saying that more affluent parents will ensure their children have access arrangement evidence (at a cost of £5-600) that will not be available to poorer pupils.

DYT challenges the assumption made in the consultation document that a test at 11 or 14 years-old could capture the “*true potential of every child*”¹⁵.

We recommend the Government carries out a full equality impact assessment, including a consideration whether this policy is fundamentally discriminatory, before pursuing it any further, to ensure it is admissible according to the Equality Act 2010.

While it may be true to say that the odds of attending a selective grammar school are stacked against SEND learners, it is fair to say that a number do attend. It is therefore a priority for all school staff to have a deep understanding of SEND, and the challenges it presents for both learners and teachers.

¹⁵ Department for Education, *Schools that work for everyone*, Accessed online: https://consult.education.gov.uk/school-frameworks/schools-that-work-for-everyone/supporting_documents/SCHOOLS%20THAT%20WORK%20FOR%20EVERYONE%20%20FINAL.PDF
Page.21

It is essential that knowledge of broader issues around inclusion and an understanding that SEND does not equate to low attainment goes beyond the Special Educational Needs Co-ordinator (SENCo) and the Teaching Assistant (TA) and informs Quality First Teaching (QFT), which will in turn benefit all learners.

We recommend that mandatory training on SEND for all school staff, in all schools should be a policy priority. Further to this, we recommend that the Government explicitly states that they expect SEND learners to attend grammar schools and that specialist support will be available to them.

7. What is the right proportion of children from lower income households for new selective schools to admit?

The Government's main aim should be to improve all schools across our country, to enable them to serve their local communities effectively. We believe that quotas of learners based on their economic status will increase levels of social segregation within grammar schools.

According to the Education Policy Institute (EPI), a quota system which requires grammar schools to take on more disadvantaged pupils is *“likely to have only a modest effect on the composition of selective schools and their ability to improve attainment for these pupils”*¹⁶.

Thus, the Government will not be able to mitigate the impact of selection on those who fail to get in by introducing quotas for FSM/Pupil Premium learners. The benefits of attending a grammar school diminish as more children who do not have high prior attainment go to them.

If the Government does commit to a policy of selection, there should be significant research carried out to ensure both grammar schools can create socially cohesive learning communities and that other, non-selective schools can remain high quality learning institutions. The Government should clearly state the ways in which it will improve non-selective schools.

¹⁶ Perera, N. *Grammar Schools: 8 Conclusions from the data*, Education Policy Institute, Accessed online: <http://epi.org.uk/analysis/grammar-schools-8-conclusions-data/>, 8 November 2016.

8. How can we best ensure that new and expanding selective schools and existing non-selective schools becoming selective are in the areas that need good school places the most?

It is clear from the latest PISA findings and Ofsted's Annual Report that there is a significant North/South divide in education outcomes in England. The same is true in terms of the performance of learners with SEND.

Almost one in three pupils in the North and Midlands who have special educational needs and/or disabilities and who receive support for SEND attend secondary schools that are less than good¹⁷.

In some parts of the country, fewer than 40% of pupils in receipt of special educational needs support are progressing well¹⁸ and between KS2 and KS4, the report found only **54%** of SEND Learners make **expected progress** in English, **compared with 69%** of all pupils nationally¹⁹.

It is important for the Government to remember that schools do not exist separately from the communities they serve. Thus, we applaud the creation of Opportunity Areas in this endeavour and encourage policy makers to look to learn from the example of London, where **school-to-school partnership** has driven up standards significantly since 2003²⁰.

We support the view that good schools become centres of excellence in their locality and that they should be encouraged to share their expertise. This view is in tune with recommendations in the Salamanca Statement regarding the purpose of Special Schools, the majority of which are also Good and Outstanding.

This would mean that, rather than pockets of excellence, a perennial problem in SEND provision, the knowledge and understanding of great teachers about what they do is shared within the broader education community.

¹⁷ Ofsted, *The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2015/16*, Accessed Online: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/574186/Ofsted_annual_report_education_and_skills_201516_web-ready.pdf Page. 13.

¹⁸ *Ibid.* Pages. 22.

¹⁹ *Ibid.* Pages. 89.

²⁰ Woods, D. & Brighouse, T. (Eds.) *The story of London Challenge*, (London: The London Leadership Strategy, 2015). Pages. 133-134.

We encourage the Government to **investigate** ways in which excellence from all sectors of the educational landscape can be effectively **shared**, particularly in areas that need good school places the most.

We hope that the Government will step back from introducing an element of competition into a field which is, at its heart, collaborative, and encourages schools working together, rather than against each other.

The Government's creation of "opportunity areas" is a good start to addressing the divide, however, we believe the practice of selection would hinder the breaking down of barriers.

We recommend the Government invests in school capacity, particularly in terms of school places, buildings, expertise and works to encourage school-to-school partnerships to drive up standards.

Faith Schools

9. Are these the right alternative requirements to replace the 50% rule?

We believe that the plan to boost the number of faith school places by reforming the rules around prohibitive admissions that new and existing faith schools can set is unlikely to boost social mobility.

Furthermore, at both primary and secondary level, faith schools tend to admit fewer pupils from disadvantaged backgrounds and fewer learners with SEND. On average, Faith schools tend to be less representative of their local area at both primary and secondary level, regarding the number of pupils eligible for FSMs.

The EPI has found that faith schools:

- Educate a lower proportion of disadvantaged children (**12.1% at KS2 versus 18.0%; 12.6% at KS4 versus 14.1%**)
- Educate a lower proportion of pupils with special educational needs (SEN) (**16.8% at KS2 versus 19.7%; 14.4% at KS4 versus 16.6%**)²¹.

²¹ Andrews, J. & Johnes, R. *Faith Schools, Pupil Performance and Social Selection*, Education Policy Institute, Accessed online: http://epi.org.uk/wp-content/uploads/2016/11/Pupil_characteristics_and_performance_at_faith_schools.pdf December 2016. Pages 5-6.

The proposal to replace the 50% rule risks increasing social segregation. Not only do faith schools admit fewer pupils from poor backgrounds than the average non-faith schools but, in line with **The Casey Review** into opportunity and integration, they would undermine integration. Casey warns about faith schools, “*where pupils are not getting opportunities to mix with children from different backgrounds or gain from a properly rounded education*”²².

We recommend that the Government puts the needs of SEND Learners at the heart of their decisions about faith schools, considering that inclusivity and diversity are not separate to SEND, which cuts across social class, race and religion.

10. How else might we ensure that faith schools espouse and deliver a diverse, multi-faith offer to parents within a faith school environment?

As with all schools, faith schools must be encouraged both to serve all members of the local community, without regard to SEND, and to share excellence in practice with neighbouring schools by developing school-to-school partnerships both within and without their faith tradition.

It is important that inspection measures are robust and effective in order to ensure that faith-based schools are able to serve all members of their local community equitably.

Diversity and inclusivity in our society are a key concern. There are many ways to address this, and we remind the Government that special educational needs and disability is part of that picture.

²² Casey, L. The Casey Review: A review into opportunity and integration, Accessed online: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575973/The_Casey_Review_Report.pdf, December 2016. Page 15.

Independent Schools

11. Are there other ways in which independent schools can support more good school places and help children of all backgrounds to succeed?

Schools that work for everyone argues that learners at non-selective schools will benefit from the greater involvement of selective schools, independent schools and universities in local provision.

We recognise the benefit, in terms of school improvement, of schools working together. There are independent schools with significant knowledge and expertise in teaching SEND learners, those with dyslexia for example, and we would encourage these schools to share their expertise more widely.

Furthermore, they should investigate ways in which they can support maintained schools and academies in their locality through building effective partnerships, so that their specialist knowledge becomes available to more than those who have the ability to pay.

It could be said that learners who attend exclusive schools, be they independent, special or academically selective, experience a somewhat rarified time at school. We recognise and celebrate those partnerships, between independent school students and their local special school, that encourage social cohesion and the breaking down the barriers of stigma and prejudice.

We recommend that the sharing of expertise, time and facilities between maintained and independent schools is explored within the context of building sustainable two-way relationships focused on the improvement of teaching SEND learners.

Universities

12. Are there other ways in which universities could be asked to contribute to raising school-level attainment?

Firstly, universities themselves should look into how they support and teach SEND students. The experience of SEND undergraduates can vary drastically depending on the level of specialist provision an individual institution has to offer.

We recognise and celebrate the work that universities undertake both in educating and training the next generation of teachers, and through educational research, such as the Maximising the Impact of TAs project²³.

We do not think it is appropriate that universities undertake the running of schools, we see them as distinct and successful educational establishments in their own right, with a way of working with adult students that is necessarily different from that of the school.

We especially encourage universities to investigate, through robust research methods, ways in which the attainment of SEND learners, such as those with literacy difficulties and dyslexia, can be raised. This has particular significance for the alleviation of poverty and encouraging upward social mobility.

It is important, however, that the knowledge contained within universities regarding educational excellence does not remain there, and we advise them to continue to develop professional relationships with the schools in their localities. In order to facilitate these, we encourage the Government to investigate factors that may hinder the development of effective partnership, especially with regard to schools.

We also urge the Government to investigate ways, such as through the College of Teaching, in which quality academic research into education can be shared more effectively with the profession.

Overall, as teaching becomes an ever-more research-led and informed profession, we recommend that leading universities are encouraged to expand their work, in terms of teacher education, educational research and in disseminating knowledge beyond the confines of academia.

²³ Maximising the Impact of Teaching Assistants, Accessed online: <http://maximisingtas.co.uk/>