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Rt Hon Alan Johnson MP
Secretary of State for Education and Skills
Department for Education and Skills
Sanctuary Buildings
Great Smith Street
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November 30, 2006.

Dear Alan Johnson,

STRENGTHENING SUPPORT FOR CHILDREN WITH SEN SELECT COMMITTEE REPORT

Important Steps Forward

I am writing on behalf of the Centre for Studies on Inclusive Education (CSIE) to welcome the Government's intention to strengthen the teaching of special educational needs in schools (DfES official response to the Education and Skills Select Committee Report on Special Educational Needs, DfES Press Notice 2006/0141). We are glad that strengthening support for children with special educational needs is to be a national priority, including continued professional development in SEN and mandatory training for new SEN Co-ordinators.

These are important steps to ensuring that disabled pupils' rights to mainstream education with appropriate support and reasonable accommodations are upheld, as enshrined in international human rights agreements including the new UN Convention on the Rights of Disabled People which is expected to be adopted later this year.

Compulsory Segregation

However, CSIE is disappointed to note there is still ambiguity about inclusion. Segregated schooling for disabled children is damaging to individuals and society and has no place in future provision for disabled pupils.

It was acknowledged in the 1981 Education Act that children should be educated in mainstream schools "wherever possible," but in the large majority of local authorities, it is still not possible for children with significant disabilities and difficulties. We understand that this issue is highly charged, but we would suggest it is simply not acceptable to carry on dealing with this by vagueness. We know that the Government is keen to promote parental choice, especially in SEN. However, the reality is that in most local authorities parents of children with significant disabilities feel that a choice of mainstream is nil, or are unaware that it might realistically exist. Parents who might or do want mainstream come up against a whole system that simply refuses to take their child, either openly or implicitly. This situation is still enforceable by law, as High Court decisions have shown that local authorities have the right to name

a special school against the objections of parents. The system thus remains ultimately one of compulsory segregation. "Flexibility" does not mean choice. This ambiguous situation will soon come up against the Disability Equality Scheme and Disability Discrimination Act, to create further legal minefields.

In addition, we foresee increasing problems through a lack of joined-up thinking with other services. To take learning disability as one example, the government strategy on learning disability as enshrined in Valuing People states four key principles, which are "Rights, Independence, Choice, Inclusion," and says that these "lie at the heart of the Government's proposals." Clearly, compulsory segregation is not compatible with this.

Strategic Direction

CSIE therefore urges the Government to take a clear strategic direction towards change and making a properly supported mainstream school place a reality for each and every pupil. It should set out a detailed programme with targets for building up the capacity of mainstream schools to achieve inclusion with all necessary supports and accommodations within a set time period. A ten to 15 year changeover period seems reasonable, based on practice in those education authorities which have already made good progress developing inclusive education. There will be a need for Government to find ways of managing the correspondingly reduced proportion of separate 'special' school placements.

Ofsted Findings

In its response to the Select Committee the Government justified retaining a flexible range of provision by referring to the recent Ofsted finding that disabled children can succeed in all types of schools provided they have access to high quality teaching and support. However, that Ofsted report also found that disabled children have a better chance of developing their academic, personal and social skills in a well-resourced mainstream school than in any other educational setting. From CSIE's point of view, that is the education to which disabled children are entitled to fulfil their human rights and to take the place in society that the Government wishes for them as adults. That is the education we urge the Government to make sure they receive.

I am forwarding copies of this letter for information to Parmjit Danda, MP; Lord Andrew Adonis, Barry Sheerman, MP; and The Disability Rights Commission and will also be posting a copy on the CSIE website.

Yours sincerely

Linda Shaw
Co-director