



# Centre for Studies on Inclusive Education

Response to the call for evidence

## ***Curriculum and Assessment Review***

The Centre for Studies on Inclusive Education (CSIE) welcomes this opportunity to contribute to the Curriculum and Assessment Review. CSIE's response to this call for evidence is included in the submission from the collective voice of the Special Educational Consortium. In this additional submission, CSIE wishes to draw particular attention to the following issues:

### **1. Purpose of education**

The idea of schooling for all children, as well as core ideas about how this should be done, arose at the end of the 19<sup>th</sup> century. At that time, access to knowledge and information was considerably limited, social values extremely different (for example disabled people were thought to have no place in mainstream society and its institutions) and social hierarchies considered fixed. Since then, despite significant social changes and greater understanding of human diversity, basic assumptions about what or how children should learn in school, as well as how this should be assessed, have remained largely unchallenged. In the 21<sup>st</sup> century, a radical rethink is called for, if education is to support *all* young people to thrive, and to build a more equitable society.

### **2. Responding to diversity**

The Equality and Human Rights Commission (EHRC) has found<sup>1</sup> that hundreds of thousands of disabled people regularly experience harassment or abuse, but have come to accept this because of our society's culture of disbelief, or 'collective denial'. In an attempt to break this cycle, the EHRC recommended<sup>2</sup> that "Schools and colleges should develop material for helping students understand disabled people and the social model of disability, and the prejudice that disabled people face within society". Embracing the social model of disability and understanding disability as an ordinary part of human diversity are at the heart of developing a more equitable education system, which expects educators to have high aspirations for *all* children and young people, and which responds to the needs of *all* learners with equal commitment and effectiveness.

### **3. Implementing existing legislation**

Section 149 of the Equality Act 2010 requires schools to have due regard to the Public Sector Equality Duty, which includes the duty to advance equality of opportunity between people who share a protected characteristic and those who do not. The current system's increasing reliance on separate "special" schools, however, does exactly the opposite: instead of receiving the support needed to access learning in their local community, many disabled children and young people receive so-called "special" provision *instead of* what is offered to their peers. This is in breach of their right to a good education in their local community, and in conflict with the global call to develop more inclusive education (more on this below). The Curriculum and

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<sup>1</sup> Equality and Human Rights Commission (EHRC) (2011) Hidden in Plain Sight: Inquiry into Disability-related Harassment.

<sup>2</sup> Equality and Human Rights Commission (EHRC) (2012) Out in the Open: Tackling Disability related Harassment; A Manifesto for Change.

Assessment Review can set a good example of how such equality of opportunity can be pursued.

The Equality Act also places a duty on all schools to make Reasonable Adjustments so that disabled children and young people are not at a disadvantage. Instead, many schools remain reluctant to welcome children with labels of SEN or disability. Parents on a preliminary visit to a school are sometimes encouraged by school staff to visit a different school, which parents are encouraged to believe may have better SEN and disability provision for their child<sup>3</sup>. It is important to remember that the Reasonable Adjustments duty is an *anticipatory* duty, owed to disabled people generally. This means that schools have to anticipate the types of barriers disabled pupils might face, and anticipate the adjustments they can make to remove these barriers, so that they can be implemented at short notice when needed. The intention is for schools to gradually build their capacity to respond to the needs of *all* pupils. This Review offers a great opportunity to consider and articulate a range of Reasonable Adjustments that would make the Curriculum, and the Assessment process, more accessible for disabled children and young people.

The Equality Act also stipulates that schools should have an Accessibility Plan which clearly states how the school intends to improve access not only to the physical environment but also to information and to the curriculum. The Curriculum Review offers an excellent opportunity to consider how this legal requirement is monitored and how to support schools to make plans for making the curriculum accessible to all, for example by considering accessible and adapted methods, delivery, materials, resources, interactions and expectations. CSIE hopes that this Review will prompt more thinking about how learning can be made meaningful and relevant to every learner.

It follows from the above that the law protects disabled children and young people from discrimination, but the current education system often lets them down. Until these provisions are consistently implemented, disabled children's rights will continue to be breached.

#### **4. Support for educational change**

CSIE hopes this Review leads to the significant changes needed, including associated changes to Initial Teacher Education and Continued Professional Development, and that the outcome leads to a transformation of attitudes and cultures in a way which places children and young people with labels of SEND at the centre of the education system alongside everyone else, rather than in the periphery or as an afterthought as is now the case. The global call to develop more inclusive education remains strong (for example through the UN Convention on the Rights of the Child, the UN Convention on the Rights of Persons with Disabilities and Sustainable Development Goal #4) and the UK has been repeatedly criticised by UN Committees for its slow progress towards developing more inclusive education.

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<sup>3</sup> Office of the Children's Commissioner (2014) *'It might be better if you looked elsewhere': An investigation into the schools admission process*

Such a thorough transformation of the education system will need adequate funding. As CSIE recently suggested when invited to submit evidence to the Public Accounts Committee's inquiry into support for children & young people with special educational needs, an entirely different funding model would be worth considering. In a system set up to fund individual children's needs, as has recently become only too evident, costs can spiral out of control. Instead of inventing new rules intended to have a cost-cutting effect, CSIE strongly suggests that the entire model of financing inclusive education is thoroughly reviewed. Recent evidence<sup>4</sup> suggests that: a) changing systems of financing inclusive education is a key lever for achieving more widespread inclusion; and b) countries which implement a financing model based on funding services provided, have greater success compared to countries where funding is based on some aspect of individual need (e.g. types or categories of need). The same report also mentions the imperative to increase incentives for inclusive education. It seems important to recognise the standards agenda, alongside the existing curriculum, assessment and qualifications structures, as barriers to the development of inclusive education. CSIE recommends a thoroughly restructured system, with a financing model focussed on generating services rather than attempting to meet individual need, and which offers sufficient incentives for inclusion and removes barriers to it. Only in this way will it be possible to develop an education system fit for the 21st century, designed for *all* children & young people equally.

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*CSIE is a national charity, established in 1982, working to develop more inclusive education for all, especially those with labels of special educational needs and disability. We offer direct support for inclusive school development, training for educators & pupils, consultancy, and a wide range of resources. Among our recent achievements is an international award (Innovative Practice Award 2016) for "Equality: Making It Happen - A guide to help schools ensure everyone is safe, included and learning". For more information please visit [www.csie.org.uk](http://www.csie.org.uk)*

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<sup>4</sup> Cor J. W. Meijer & Amanda Watkins (2019) Financing special needs and inclusive education – from Salamanca to the present, *International Journal of Inclusive Education*, 23:7-8, 705-721, DOI: 10.1080/13603116.2019.1623330